

CALIFORNIA
STATE LIBRARY

GOVERNMENT
PUBLICATIONS

19421



0 2007 0698637 5

California State Library

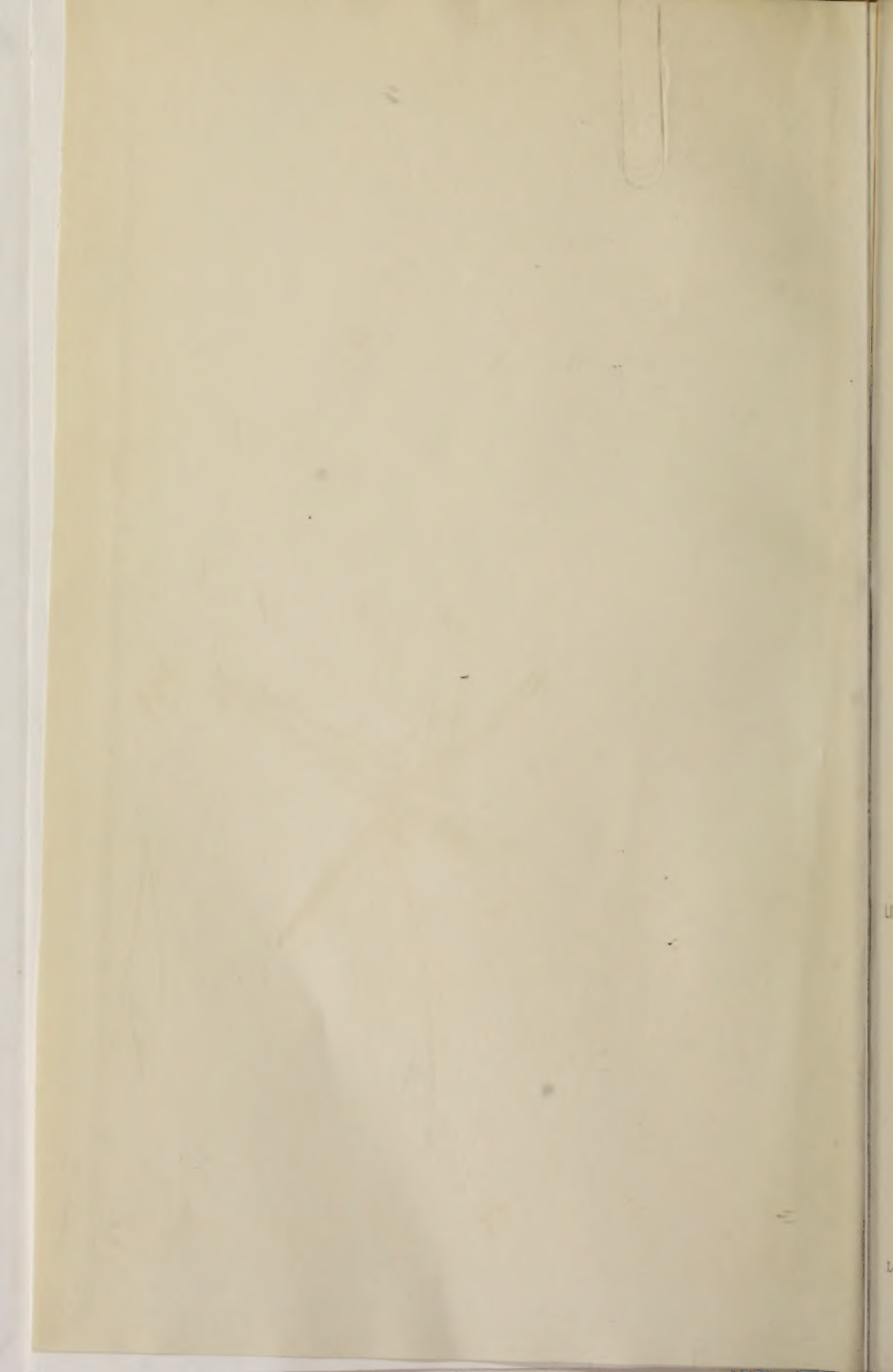
3rd ex

CALIFORNIA
STATE LIBRARY

GOVERNMENT
PUBLICATIONS



B-40



Journals of the Senate and Assembly

CALIFORNIA LEGISLATURE

FIFTY-FIFTH [THIRD EXTRAORDINARY] SESSION

JANUARY 27 TO JANUARY 31, 1944



CALIFORNIA
STATE LIBRARY

AUG 12 1960

DOCUMENTS SECTION

LIEUT. GOVERNOR FREDERICK F. HOUSER
PRESIDENT OF THE SENATE

HON. CHARLES W. LYON
SPEAKER OF THE ASSEMBLY

SENATOR JERROLD L. SEAWELL
PRESIDENT PRO TEMPORE OF THE SENATE

HON. THOMAS A. MALONEY
SPEAKER PRO TEMPORE OF THE ASSEMBLY

JOSEPH A. BEEK
SECRETARY OF THE SENATE

ARTHUR A. OHNIMUS
CHIEF CLERK OF THE ASSEMBLY

printed in CALIFORNIA STATE PRINTING OFFICE
SACRAMENTO, 1944 GEORGE H. MOORE, STATE PRINTER

TABLE OF CONTENTS

THIRD EXTRAORDINARY SESSION, JANUARY 27-31, 1944

Senate Journal

Appendix

Supplemental Report, Committee on Penal Reform

Final Report, Committee on Penal Reform

Assembly Journal

SENATE JOURNAL

FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

CONTENTS

	PAGE
DAILY JOURNALS—	
January 27, 1944-----	1
January 28, 1944-----	31
January 29, 1944-----	43
January 30, 1944-----	79
January 31, 1944-----	105
SUPPLEMENT TO SENATE JOURNAL-----	145
Senate Bills Approved by the Governor, Chaptered, and Filed With the Secretary of State-----	145
Senate Concurrent Resolutions Chaptered and Filed With Secre- tary of State-----	145
Senate Constitutional Amendments Chaptered and Filed With Secretary of State-----	146
Senate Joint Resolutions Chaptered and Filed With the Secretary of State-----	146
INDEX TO SENATE JOURNAL-----	147
Alphabetical Index-----	147
Table of Actions on Senate Measures in the Senate-----	155
Table of Actions on Assembly Measures in the Senate-----	157
APPENDIX TO SENATE JOURNAL-----	159
Preliminary Reports of Governor's Committee on Penal Affairs -----	(39 pages)
Final Report of Governor's Investigation Committee on Penal Affairs-----	(56 pages)



CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FIRST LEGISLATIVE DAY
FIRST CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Thursday, January 27, 1944

The Senate met at 11 o'clock a.m., pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated January 20, 1944, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor Frederick F. Houser, President of the Senate of the Fifty-fifth Session, in the chair, called the Senate to order.

Pursuant to the provisions of Section 237 of the Political Code, Joseph A. Beek, Secretary of the Senate, John F. Lea, Minute Clerk of the Senate, Joseph F. Nolan, Sergeant-at-Arms of the Senate, were present and occupied their respective positions.

ROLL CALL

The roll was called, and the following Senators answered to their names:

Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—36.

PRAYER

By invitation of the President, prayer was offered by the Rev. Father Richard C. Dwyer.

LEAVES OF ABSENCE FOR THE DAY

The following Senator was granted leave of absence for the day:
Senator Carter, on motion of Senator Seawell.

MOTION TO EXCUSE MEMBER

Senator Seawell moved that Senator Kuchel be excused for the balance of this legislative session.

Motion carried.

F. Nolan, Sergeant-at-Arms; John F. Lea, Minute Clerk; and Rev. Father Richard C. Dwyer, Chaplain; took and subscribed to the following oath administered by Annette Abbott Adams, Presiding Justice, Third District Court of Appeal:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office to which I have been elected to the best of my ability.

RESOLUTIONS

The following resolution was offered :

By Senator Seawell :

Senate Resolution No. 3

Resolved, That the following rules be and the same are hereby adopted as the Standing Rules of the Senate at its Fifty-fifth (Third Extraordinary) Session.

STANDING RULES OF THE SENATE

Convening and Sessions

Hour of Meeting

1. The Senate shall meet at 11 a.m., daily, except Sundays, unless otherwise ordered by the Senate.

Calling to Order

2. The President, President pro tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present shall proceed with the order of business.

Attendance of Members

3. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Order of Business

4. The order of business shall be as follows :

1. Roll Call.
2. Prayer by the Chaplain.
3. Leaves of Absence.
4. Privileges of the Floor.
5. Communications and Petitions.
6. Messages from the Governor.
7. Messages from the Assembly.
8. Reports of Committees.
9. Motions, Resolutions and Notices.
10. Introduction and First Reading of Bills.
11. Special Orders.
12. Unfinished Business.
13. Consideration of Daily File.
14. Announcement of Committee Meetings.
15. Adjournment.

Executive Sessions

5. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Officers of the Senate

The President

6. The Lieutenant Governor shall be the President of the Senate. He shall have a casting vote when the vote is equally divided and his vote will decide the issue.

The President shall maintain order in the Senate Chamber and in case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

The President Pro Tempore

7. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order, at the hour of the meetings of the Senate, and shall have the same powers as the President.

It shall be the particular responsibility of the President pro tempore to secure the prompt and businesslike disposition of bills and other business before the Senate.

Presiding by Senators

8. The President pro tempore of the Senate may name any Senator to perform the duties of the Chair in the absence of the President. The Senator so named shall be vested, during such time, with all the powers of the President.

Secretary of the Senate

9. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

He shall superintend all printing and clerical work to be done for the Senate and shall have supervision over all attaches and employees of the Senate. He shall assign, reassign or transfer all attaches or employees to their respective duties.

He shall certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

He shall also keep a correct Journal of the proceedings of the Senate, and shall notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

The Secretary of the Senate shall have custody of all bills, documents, papers and records of the Senate and shall not permit any such bills, records or papers to be taken from the desk or out of his custody by any person, except in the regular course of the business of the Senate.

All employees on the pay roll of the Senate are employees of the Senate and not of individual members and they are under the direct control of the Secretary of the Senate. Any insubordination or inefficiency on the part of any employee shall be reported by the Secretary to the Committee on Rules or if a Committee on Attaches be appointed, then to that committee.

Sergeant-at-Arms of the Senate

10. The Sergeant-at-Arms shall attend the Senate during all of its sittings, execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and Journals, Histories and Files, when printed, on the desks of Senators, at least one hour previous to the opening of session.

Committees of the Senate

Appointment of Committees

11. The Committee on Rules shall consist of the President pro tempore of the Senate, who shall be the chairman of the committee, and four other members of the Senate to be elected by the Senate.

The Committee on Rules shall appoint all other committees of the Senate unless otherwise directed by the Senate and shall designate a chairman of each committee so appointed and a vice chairman of each standing committee.

Ten days before the commencement of any regular session of the Legislature, the Secretary of the Senate shall mail to each member a blank, in a form approved by the Rules Committee, on which the member may indicate his committee preferences and with such blank shall be mailed a stamped envelope addressed to the Rules Committee, care of the Secretary, for the convenience of the member in returning such form with his preferences thereon. All such communications shall be retained by the Secretary unopened and shall be delivered to the Rules Committee immediately upon the organization of the Senate.

Standing Committees

12. The standing committees of the Senate at the Fifty-fifth Regular Session shall be the standing committees of this extraordinary session.

Committee on Rules

13. The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee shall also have the duty of making recommendations designed to promote, improve and expedite the business and procedure of the Senate, and of proposing any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules will constitute the Committee on Introduction of Bills and shall have charge of engrossment and enrollment of bills, contingent expenses of the Senate and legislative printing except insofar as these functions are delegated to the Secretary of the Senate, and of attaches unless a Committee on Attaches is appointed.

The rooms, passages and buildings set apart for the use of the Senate shall be under the direction of the Committee on Rules and the committee may assign the press desks in the Senate Chamber to accredited newspaper representatives.

Executive communication of nominations sent by the Governor to the Senate for their confirmation, shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, without debate.

Schedule of Committee Meetings

14. The Committee on Rules shall propose to the Senate such schedules for regular meetings of the standing committees as will permit a full attendance of their members without conflict of committee engagements.

The committee may also propose such special committee meetings or special schedules of committee meetings as will facilitate the business of the Senate. Such schedules may provide a special schedule of committee meetings upon certain days of the week or to meet any special condition which may arise.

Quorum of Standing Committees—Vote

15. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal.

Powers of Standing Committees

16. Each standing committee of the Senate to which a proposed law or bill is assigned shall have full power and authority, during the session of the Legislature or any recess thereof, to make such investigation and study of and concerning any such proposed law or bill as such committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this Rule, each committee may appoint a secretary and adopt such rules as may appear necessary and proper to carry out the powers granted and duties imposed under this Rule. It may employ such clerical, legal and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

The members of such committees are, and each of them is, authorized and empowered to administer oaths, and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate, or other person designated by the Sergeant-at-Arms or by the committee, shall serve any and all subpoenas, orders and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

All officers of this State, including the Legislative Counsel and the heads of each department, agency and subdivision thereof, and all employees of such departments, agencies and subdivisions, and all other persons whether connected with the State Government or not, shall give and furnish to these committees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

Each standing committee may meet at the State Capitol and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it and may expend such money as may be made available by the Senate for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Special Investigating Committees

17. No committee for the investigation of any special subject shall be appointed except pursuant to a resolution which shall be entered in the Journal and referred to the Committee on Rules, and which shall be approved by a vote of a majority of the members elected to the Senate. The subject and purposes of the investigations shall be expressed in the title of the resolution and the scope of the investigations shall be consistent with the subject and purposes so expressed. No such committee shall have authority to extend its investigations to subjects not so expressed, nor beyond the scope indicated in the resolution. Unless otherwise directed by the resolution any committee so authorized shall be appointed within 20 days after the adoption of the resolution.

No Committee Expenditures Permitted

18. No member of any committee shall be permitted to incur any expense chargeable to the Senate unless authorized by resolution of the Senate.

Procedure and Rules**Joint and Concurrent Resolutions and Constitutional Amendments**

19. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; except, that they shall have but one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these Rules, or by the Joint Rules of Senate and Assembly the authority shall be Mason's Manual.

Suspension or Amendment of Rules

21. Except as in these Rules otherwise expressly permitted no standing rule or order of the Senate shall be rescinded or changed without a vote of a majority of the members of the Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of a majority of the members of the Senate. All proposed amendments to these Rules shall, upon presentation, be referred to the Committee on Rules without debate.

Introduction and Reference of Bills**Introduction, First Reading, and Reference of Bills**

22. Any Senator desiring to introduce a bill shall send it to the Senate desk.

The Committee on Rules shall check all Senate bills prior to introduction and all Assembly bills before reference to committee and shall designate the committees to which they shall be referred.

Under the order of Introduction of Bills, the Secretary shall assign a number to each Senate bill, shall read it the first time, and unless otherwise ordered by the Senate without debate it shall be referred to the committee designated by the Committee on Rules.

Under the order of Messages from the Assembly the Secretary shall read each Assembly bill the first time and unless otherwise ordered by the Senate, without debate, it shall be referred to the committee designated by the Committee on Rules.

Introduction of Bills by a Committee

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee in the same manner as any member.

Introduction of Bills

24. Whenever a bill is received at the desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules which shall decide whether or not such bill can properly be considered at this session. If in the judgment of the Committee on Rules such bill can be considered it shall report it back and designate the committee to which it shall be assigned. Thereafter it shall be assigned a number by the Secretary, be read first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

Senate Resolutions

25. All Senate resolutions upon being presented shall be given a number by the Secretary. Such resolutions shall be printed in the Journal and indexed in the History and Journal.

Bills in Committee**Committee Hearings**

26. During the constitutional recess or as soon thereafter as practicable the chairman of each committee shall prepare a schedule of hearings concerning bills referred to the committee. The schedule shall be arranged according to subjects insofar as may be convenient.

The schedules and any changes therein shall be delivered to the Senate as soon as convenient in order that due notice may be given to persons interested in the legislation.

Substitute Committee Bills

27. A committee may amend into one bill related provisions germane to the subject and embraced within the title; and with the consent of the author the committee may constitute such bill a committee bill by striking out of the heading of the bill the line "Introduced by" and the name of the author and substituting therefor "Substitute committee bill of the Committee on" and the name of the committee.

Recalling a Bill From Committee

28. The Senate may at any time by 21 votes recall a bill from committee.

Consideration of Bills

Order of Making Files

29. When bills are reported from committee they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second reading Senate or Assembly file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the Senate or Assembly third reading file, in the order of reading. Unless otherwise ordered by the Senate the File shall be taken up in the following order: Senate second reading file, Assembly second reading file and Senate third reading file, Assembly third reading file. The bills upon third reading shall be considered in the order in which they appear upon the File, unless otherwise ordered by the Senate.

An inactive file shall be kept to which bills may be transferred at the request of the author, or on motion, and they shall be so transferred when they have been passed on third reading file without action three successive times. Bills may be carried on the inactive file by author and bill number without setting forth the title.

Bills may be transferred from the inactive file to the second reading file on motion, and after being read the second time such bills will take their place regularly on third reading file and be available for consideration and passage.

Notices of committee hearings shall be published in the File whenever presented by chairmen of committees to the Secretary for that purpose. For such purpose bills will be identified by subject or by number.

Special Order

30. Any measure or subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Messages From the Governor or Assembly

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

Engrossing Bills

32. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed bill with the original bill introduced and any amendments adopted to ascertain that it is correct. When a bill is reported correctly engrossed it shall be substituted on the File for the original bill.

Enrolling Bills

33. All Senate bills shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every such bill, amendment or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signatures of the President or President pro tempore of the Senate and the Secretary or an Assistant Secretary of the Senate and by the corresponding officers of the Assembly and transmitted without delay to the Governor.

Debate

Statement of Motion

34. No motion shall be debated until the same be distinctly announced by the President: and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking

35. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he may proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

4. No Senator shall be interrupted when speaking, and no question shall be asked him except through the presiding officer.

5. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Order in Debate

36. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Right to Address the Senate

37. No person other than a member of the Senate or the President thereof, shall address the Senate while it is in session but the Senate may resolve itself into a Committee of the Whole and while sitting as such committee may be addressed by persons other than members.

Questions and Motions

Amendments to Bills

38. When amendments to a bill are reported by a committee or offered from the floor, such amendments shall be submitted in triplicate.

Adoption of amendments to any bill in the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

Motion to Lay on the Table

39. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

Division of a Question

40. If a question in debate contains more than one distinct proposition, any Senator may have the same divided.

The Previous Question

41. The previous question shall be put in the following form: "Shall the question be now put?" It shall require a majority vote of the Senators present; and its effect shall be to put an end to all debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

Call of the Senate

42. Upon a motion being carried for a call of the Senate, the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon, no member shall be permitted to leave the Senate Chamber except by written permission of the President pro tempore or in his absence of the presiding officer. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote.

No recess can be taken during a call of the Senate. During a call, the Senate may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had during a call of the Senate. When a call of the Senate is ordered, pending the announcement of the vote upon the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Reconsideration

43. On the day on which a vote has been taken on any question a motion to reconsider the vote may be made by any member.

The motion may be considered on the day made or on the succeeding legislative day but may not be further postponed without the concurrence of 27 members.

No vote on a Senate bill may be reconsidered on or after the last day fixed for the consideration of Senate bills prior to adjournment and no vote may be reconsidered on the last day of the session.

When reconsideration of the vote by which any bill was passed has been demanded the Secretary shall not transmit it to the Assembly until the demand has been disposed

of or the time for reconsideration has expired, but if the bill has already been transmitted to the Assembly the demand for reconsideration shall be preceded by a motion to request the Assembly to return the bill. This motion shall be put to vote immediately without debate and if not adopted shall preclude a demand for reconsideration.

A demand to reconsider the vote on any debatable question opens the main question to debate and the vote on the reconsideration shall be on the merits of such main question.

Voting by Senate

Voting on Roll Call

44. Whenever a roll call is required by the Constitution or Rules, or is ordered by the Senate or demanded by three members, every member within the Senate shall without debate answer "Aye" or "No" when his name is called.

The names of members shall be called alphabetically.

No Senator shall be permitted to vote or change his vote after the announcement of the vote by the presiding officer.

Excused From Voting

45. When a Senator declines or fails to vote on call of his name he may, after completion of the roll call, and before the announcement of the vote be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which question shall be decided without debate. Unless the Senator is excused from voting he shall be required to vote.

Voting by Presiding Senator

46. When the President pro tempore or any other member of the Senate is presiding over the Senate he shall vote on roll call the same as though he were not presiding.

Vote Required

47. Unless otherwise required by the Constitution, the Joint Rules of the Senate and Assembly or by these Rules, any action which can be taken by the Senate requires only a majority vote of the Senate, a quorum being present.

The following actions require 30 votes:

1. To introduce bills after the constitutional recess—(Constitution, Art. IV, Sec. 2).

The following actions require 27 votes:

2. To pass urgency measures—(Constitution, Art. IV, Sec. 1).
3. To suspend constitutional provision requiring reading bills on three several days—(Constitution, Art. IV, Sec. 15).
4. To pass bills over the Governor's veto—(Constitution, Art. IV, Sec. 16).
5. To increase or diminish the number of superior court judges or to remove judges—(Constitution, Art. VI, Secs. 9, 10).
6. To propose constitutional amendments or revision of the Constitution—(Constitution, Art. XVIII, Secs. 1, 2).
7. To change rate of taxation for State purposes—(Constitution, Art. XIII, Secs. 14, 16).
8. To authorize deposit of public money in banks—(Constitution, Art. XI, Sec. 16½).
9. To remove Railroad Commissioners—(Constitution, Art. XII, Sec. 22).
10. To change rates or conditions under the State Employees Retirement System—(Constitution, Art. IV, Sec. 22a).
11. To propose change in location of State capital—(Constitution, Art. XX, Sec. 1).
12. To reconsider the vote by which a concurrent resolution proposing a constitutional amendment is defeated.
13. To suspend the Rule against lobbying in the Senate Chamber.
14. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning constitutional amendments or bills which require 27 votes for passage.

The following actions require 21 votes:

15. To amend or suspend the Rules.
16. To pass bills, unless under some other Rule a larger vote is required—(Constitution, Art. IV, Sec. 15).
17. To adopt a concurrent resolution approving a county or city charter or amendment thereto—(Constitution, Art. XI, Secs. 7½ and 8).
18. To adopt joint and concurrent resolutions.
19. To reconsider bills, joint and concurrent resolutions.
20. To confirm appointments by the Governor or to reconsider the same.
21. To recall a bill from committee.
22. To concur in Assembly amendments to or to adopt a report of a Committee on Conference concerning concurrent or joint resolutions or bills which require 21 votes for passage.

Actions requiring 14 votes:

23. To reconsider a vote by which a concurrent resolution proposing a constitutional amendment was adopted.

Vote Required for Amendments

48. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Contents of Senate Journal**Proceedings to Be Printed**

49. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

The Journal shall state the name of the Senator presenting each Assembly bill, concurrent or joint resolution or constitutional amendment to the Senate for final action.

Every vote of the Senate shall be recorded in the Journal. The committee vote on each bill reported back by a committee, and if a bill is signed out that fact also shall be recorded in the Journal.

Titles of Bills to Be Printed

50. The titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced and when acted upon by the Senate, and a brief statement of the contents of each petition, memorial or paper presented to the Senate shall be printed in the Journal.

Other Matter to Be Printed

51. Messages from the Governor (other than biennial messages and inaugural addresses) shall be printed in the Journal, unless otherwise ordered by the Senate.

Legislative Printing**Duty of Secretary to Order Printing**

52. It shall be the duty of the Secretary of the Senate and he is hereby directed during and between sessions of the Legislature to order for the Senate the necessary printing including stationery for the members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary shall order from the State Printer such number of copies of bills, Journals, Histories, Files, forms and other printing as shall be necessary.

It shall further be the duty of the Secretary to order bills and other legislative publications for which there is a demand printed before the supply of same shall become exhausted.

Printing Only on Written Orders; Rush Orders

53. The State Printer shall not charge any printing or other work to the Senate except as required by law unless he has a written order from the Secretary of the Senate prior to the beginning of the printing or other work. All printing ordered by the Secretary shall be delivered as directed by him. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments

54. When any bill of either house is amended it shall be immediately reprinted; new matter shall be printed in italics in the printed bill; and matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strikeout" type. When a bill is enrolled, all such italics and "strikeout" type shall be omitted and the bill shall be printed in the usual Roman type.

The Senate Chamber**Admission Within Bar of Senate**

55. It shall be the duty of the Sergeant-at-Arms to prevent all persons except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them from coming within the bar of the Senate unless upon the invitation of the President or a Senator. No visitor shall be allowed upon the floor while the Senate is in session.

Regulations for Lobbyists

56. All persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Senate upon any such bill, measure, or resolution, or upon any anticipated or proposed bill, measure, or resolution, shall

register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this Rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate as herein provided.

This Rule shall not apply to members of either house of the Legislature, officers of the State or other public agencies, or citizens of the State of California appearing in their own interest or behalf who are not representing any group, organization or corporation.

No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this Rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and the President pro tempore are charged with the enforcement of this Rule, and this Rule can not be suspended except by a two-thirds vote of the entire Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Judah, Keating, Luckey, Mayo, McBride, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—33.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 1: By Senator Seawell—Relative to the Joint Rules of the Legislature.

Request for Unanimous Consent

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to the Joint Rules of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolutions were offered:

By Senator McCormack:

Senate Resolution No. 4

Resolved, That the President of the Senate appoint a Special Committee of Three Senators to notify the Governor of the organization of the Senate for the Fifty-fifth

(Third Extraordinary) Session and that the Senate is now ready to receive any communications he may have to make.

Resolution read, and, on motion of Senator McCormack, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators McCormack, Rich, and Slater.

By Senator Crittenden:

Senate Resolution No. 5

Resolved, That the President of the Senate appoint a Special Committee of Three Senators to notify the Assembly of the organization of the Senate, and that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and, on motion of Senator Crittenden, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Crittenden, Salsman, and Breed.

By Senator McBride:

Senate Resolution No. 6

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers:

<i>President pro tempore</i>	Jerrold L. Seawell
<i>Secretary of the Senate</i>	Joseph A. Beek
<i>Sergeant-at-Arms</i>	Joseph F. Nolan
<i>Minute Clerk</i>	John F. Lea
<i>Chaplain</i>	Rev. Father Richard C. Dwyer

Resolution read, and, on motion of Senator McBride, adopted.

By the Committee on Rules:

Senate Resolution No. 7

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Senators	County	Mileage	Total at 5 cents per mile
Biggar, George M.	Mendocino	480	\$24 00
Breed, Arthur H., Jr.	Alameda	180	9 00
Brown, Charles	Inyo	1,292	64 60
Burns, Hugh M.	Fresno	338	16 90
Carter, Oliver J.	Shasta	330	16 50
Collier, Randolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	94	4 70
Cunningham, R. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	164	8 20
Deuel, Charles H.	Butte	202	10 10
Dillinger, H. E.	El Dorado	100	5 00
Donnelly, Hugh P.	Stanislaus	182	9 10
Dorsey, Jess R.	Kern	550	27 50
Fletcher, Ed.	San Diego	1,146	57 30
Gordon, Frank L.	Napa	94	4 70
Hatfield, George J.	Merced	236	11 80
Jespersen, Chris N.	San Luis Obispo	666	33 30
Judah, H. R.	Santa Cruz	336	16 80
Keating, Thomas F.	Marin	210	10 50
Luekey, E. George	Imperial	1,292	64 60
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
McCormack, Thomas	Solano	124	6 20
Mixter, Frank M.	Tulare	444	22 20
Parkman, Harry L.	San Mateo	222	11 10
Powers, Harold J.	Modoc	832	41 60

Senators	County	Mileage	Total at 5 cents per mile
Quinn, Irwin T.	Humboldt	624	\$31 20
Rich, Wm. P.	Yuba	106	5 30
Salsman, Byrl R.	Santa Clara	292	14 60
Seawell, Jerrold L.	Placer	38	1 90
Shelley, John F.	San Francisco	180	9 00
Slater, Herbert W.	Sonoma	204	10 20
Swan, John Harold	Sacramento	2	10
Swing, Ralph E.	San Bernardino	1,016	50 80
Tenney, Jack B.	Los Angeles	894	44 70
Tickle, Edward H.	Monterey	474	23 70
Ward, Clarence C.	Santa Barbara	920	46 00

Officers	County	Mileage	Total at 10 cents per mile
Frederick F. Houser, President	Los Angeles	912	\$91 20
J. A. Beek, Secretary	Orange	990	99 00
John F. Lea, Minute Clerk	Placer	76	7 60
Joseph F. Nolan, Sergeant-at-Arms	Los Angeles	894	89 40

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Mayo, McBride, Mixer, Parkman, Quinn, Seawell, Shelley, Swan, Swing, Tenney, Tickle, and Ward—27.

NOES—None.

By Senator Brown:

Senate Resolution No. 8

Resolved, That the Sergeant-at-Arms be and he is hereby authorized and directed to receipt to the Controller for warrants for members and officers of the Senate.

Resolution read, and, on motion of Senator Brown, adopted.

By Senator Tickle:

Senate Resolution No. 9

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, beginning January 27, 1944, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the same respective amounts, and the Treasurer is hereby directed to pay the same; except in the instances of Paul Mason and Margaret Hammond, Assistant Secretaries, who will serve without compensation:

	Seven days per week
Harry Hammond, Assistant Secretary	\$9 00
Margaret Hammond, Assistant Secretary	0 00
Paul Mason, Assistant Secretary	0 00
Margaret Sweeny, Chief Stenographer	7 00
Harry Jordan, Assistant Secretary	7 00
Thomas A. Wright, Assistant Sergeant-at-Arms	6 00
A. P. Bellisle, Assistant Secretary	7 00
Flora Gilliam, Stenographer	6 00
Thelma Smith, Secretary	6 00
Marguerite Bridges, Secretary	6 00
Belle Tomasini, Engrossing and Enrolling Clerk	7 00
N. L. Levering, Journal Clerk	7 00

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Burns, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Mayo, McBride, Mixer, Parkman, Quinn, Seawell, Swan, Tenney, Tickle, and Ward—24.

NOES—None.

MESSAGE FROM THE ASSEMBLY

At 11.20 a.m., a committee from the Assembly, consisting of Messrs. Stream, Crichton, and Hollibaugh, appeared at the bar of the Senate, and announced that the Assembly was duly organized, and ready to proceed with the business of the State.

REPORTS FROM SPECIAL COMMITTEES

The following reports of Special Committees were received:

Senators McCormack, Rich, and Slater, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

Senators Crittenden, Salsman, and Breed, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported that they had performed their duty.

MOTION TO PRINT IN THE JOURNAL

Senator Swing moved that the Report of Senate Interim Committee appointed to investigate the water conditions at Needles, California, be printed in the Journal.

Motion carried.

Report of Special Committee

January 27, 1944

*To the Legislature of the State of California
and To Each House Thereof
Sacramento, California*

GENTLEMEN: Pursuant to Senate Resolution No. 138, adopted at the Fifty-fifth Session, a committee was appointed to give further study to conditions at Needles, California, caused by the Colorado River since the construction of Boulder and Parker Dams. The committee has pursued its work in accordance with such resolution, and because of the seriousness of the situation and the necessity for immediate action, a partial report of the committee's activities and its recommendations is submitted at this extraordinary session.

The Colorado River forms the boundary between California and Arizona. It is a navigable stream and, as such, is under the complete domination and control of the Federal Government. The source of the Colorado River is in the Rocky Mountains and it empties into the Gulf of California. It carries great quantities of detritus, debris, and silt eroded from the higher water sheds, which, during past centuries, was carried down and deposited along and in the bed of the stream throughout its course, to be again in part picked up and eroded during flood times and carried to its final resting place in the Gulf of Lower California.

An accurate and detailed description of the action of the river and of the bed of the stream prior to Federal interference with its natural tendencies is not now nor is it here necessary. Suffice to say that until controlled by Boulder and Parker Dams, the Colorado River, while a menace during flood times, never seriously endangered the City of Needles or the Santa Fe Railway installations at that point since the construction of the Santa Fe Dike in the year 1914.

With control and development, the Colorado River has gradually and effectively been transformed into a great National asset from which unlimited and untold benefits are now flowing and will continue for all time to come.

For years, the Federal Government gave study to the utilization of this river for the developing of power and for furnishing necessary water for irrigation and domestic uses in and among the States bordering thereon. As a part of the river development, the Federal Government has now constructed, in the order named, the Laguna Dam, primarily an irrigation project for the benefit of lands in Arizona and California; the Boulder Dam, primarily a river control and power project; the Imperial Dam, for the diversion of water into the All American Canal; and the Parker Dam, as a means of diverting water from the Colorado River to and for domestic use within the metropolitan areas of southern California.

These are all Federal projects and are under Federal control. The State is without power to regulate or to interfere with the operation of any of them. River regulation and development by means of the projects aforesaid, while laudable and beneficial to great numbers of people both in California and in adjacent States, has not been accomplished without some injury and detriment to communities and entities which, prior to such development had acquired certain established and firm rights which

should not and can not be completely ignored, as the development of said river continues and the operation of the aforementioned projects is carried on for the benefit of others. This situation is particularly true of Needles, California, and of the Santa Fe Railway Company insofar as its Needles division is concerned.

Long before the construction of any of the additional projects hereinbefore mentioned, The Atchison, Topeka and Santa Fe Railway Company, following instruction of its railway company, established division headquarters at Needles. The Santa Fe has a large investment at that point and all of its transcontinental trains, both freight and passenger, 50 per cent of the movement of which today is military personnel, passes through Needles. It has yards, large shops and other facilities at that point.

The City of Needles is a sizeable community with a population of upwards of 4,000 people and a valuation of approximately \$5,000,000. Not only is the City of Needles division headquarters for the railway company, but a main transcontinental highway passes through the city, it being the California gateway of U. S. Highway No. 66. In addition to the railway company's offices and facilities, other utilities and industries are located there and it is the center for mining, agriculture, and stock raising industries. Interruption of these transportation facilities would seriously impede and delay the movement of military personnel and foodstuffs necessary for the war effort.

The Santa Fe yards, machine shops and other public utilities were of necessity constructed upon lands bordering on the Colorado River and with an elevation only slightly above the normal flow of the river. The City of Needles is likewise located upon lands with a similar elevation.

Prior to the construction of the aforementioned Federal projects on the Colorado River, the only damage at Needles was that resulting from periodic floods. Danger from such floods was well overcome by the construction by the Santa Fe Railway Company, about the year 1914, of a dike along the California bank of the Colorado River for a distance of about 8,000 feet. While the margin of safety provided by this dike was not great, still, under normal and natural conditions, it proved a sufficient protection and safeguard for more than 30 years and would still furnish adequate protection were it not for the rise of the bed of the stream caused by the construction of the Federal projects hereinbefore referred to.

Along about April, 1941, shortly after the Parker Dam was put into operation, sand bars began to appear along and in the channel of the Colorado River, both above and below Topock. Since then the bed of the Colorado River from Topock up to and beyond Needles has gradually filled in so that the river along and adjacent to Needles has continued to rise. On December 8, 1943, when no flood was present, the river elevation opposite the Santa Fe yards had risen to 471 plus feet, whereas the top of the dike at that point has an elevation of only 473 plus feet. It requires no stretch of the imagination to visualize what would happen at Needles and vicinity if only a normal flood should now occur.

Deposition of silt in the backwater reaches of a reservoir is not a peculiar phenomenon. It is the inevitable result of stream laden materials meeting slackened velocity. The Engineers of the United States Bureau of Reclamation recognized this action while they were constructing Boulder Dam. Mr. E. W. Lane, Research Engineer for the bureau, in an article appearing in Engineering News-Record on June 28, 1934, stated, "When a dam is constructed in a stream with a bed of movable material, part of the material which the stream transports will be deposited in the backwater area of the reservoir".

Engineers estimate that approximately 38,000 acre feet of material have been eroded from the Colorado River bed between Boulder Dam and Needles from the time storage began in Parker Dam in 1938 to January, 1943. This is enough material to cover 60 square miles one foot deep. Available measurements show that most of this material was deposited in the backwater area of Havasu Reservoir from Needles to Topock.

We are informed that had there been no release of clear water at Boulder Dam there would have been no additional scouring of the stream bed between the Dam and Needles, and if there had been no storage behind Parker Dam this eroded material would not have been deposited between Needles and Topock. We are advised that the river bed past Needles would have been lowered by the operation of Boulder Dam had it not been for the backwater of Havasu Reservoir.

This action of scouring above and deposition in the vicinity of Needles is still continuing and offers a continuing and increasing menace to the inhabitants of the City of Needles and to the Santa Fe Railway property. Engineers of the United States Bureau of Reclamation, in April, 1942, prepared and submitted to the Chief Engineer of that bureau plans for the solution of this problem. Copy of such plans and estimates of costs, together with recommendations of the bureau, has been filed with this committee. The plan so submitted offers the only satisfactory solution of the problems thus far brought to the attention of this committee.

The situation at Needles as it existed on February 19, 1943, was described to the committee by Mr. William M. Claypool, Jr., Mayor of Needles, as follows:

The river has always been a problem with the city, away back in the early days even. At that time the river, during the spring flood season, would often cut its banks and endanger the whole community. It was a real menace until about 1914 when the Santa Fe Railway, to protect its own property, put in the present Santa Fe Dike.

That dike starts here at the north end of the town and goes up past what we call the old smelter site and down the river here to the lower end of the town. Now, since that time, 1914, flood waters have not been a menace here. At times, during the big floods, we have had high water over there and it has been rather a problem, but it has never been—we have never been threatened with being washed out like we were before.

Now, when the Boulder Dam was built the city naturally felt that their flood problems were over because the Boulder Dam would regulate the flow of the river and would eliminate those big floods that we formerly had. Our first intimation that all was not well was contained in a letter from William Zimmerman, Assistant Engineer of the Office of Indian Affairs, from Washington, D. C., dated January 18, 1939, in which he, in part, says:

It appears impossible to determine in advance what the effect will be on the Colorado River as a result of the construction of the Boulder and Parker Dams and the possible construction of the Bulishead Dam. It is known, of course, that the water issuing from the Boulder Dam will be clear. The present gradient of the river was established by muddy water and it is reasonably certain that the clear water will pick up and transport silt and sand to a greater or lesser extent. Just how far this recession and subsequent deposition will go seems to be a problem over which even hydraulic engineers differ widely.

Now, the things in Needles went along about the same as usual until early in 1941. That was after the Parker Dam had been completed and Lake Havasu was fairly well filled. During March of 1941, the seepage from the river had become a major problem. During that month the City Council of the City of Needles, under date of March 25th, instructed their city attorney to write letters of protest to the Department of Interior, Bureau of Reclamation, Washington, D.C., and to the Metropolitan Water District in Los Angeles, in which they stated the conditions then prevalent, and that we felt that the erection of the dams and their work on the river was the cause, and asked that something be done. However, we got no action.

In May, 1941, due to the fact that they had a large run-off of water in the upper Colorado, and due to the fact that they did not have sufficient storage in Lake Mead, they let a large amount of water down the river—I believe at first it was 30,000 second feet, and then 35,000, and when they let that large amount of water in, the whole north part of the town was flooded. A lot of families were flooded out and it was a serious proposition, and the local Red Cross secured 20 tents from the Red Cross inside and those people were moved out of that area and also lots of other families moved and lived with friends and relatives on higher ground.

* * *

The water level that we have had up to now (February 19, 1943) has forced probably 20 families to actually move their homes. If the water should raise a foot higher than it was in the past, it will force probably from 100 to 150 families to lose their homes. I might say that in all that district that is now flooded we have fire hydrants, water mains, and also one year before the big flood we paved all those streets over in that district. These are all submerged now, from six inches to two feet."

Mr. J. A. Ward, President of the California Pacific Utilities Company, which operates the gas and electric works at Needles, California, described the situation to the committee as follows:

We have a gas generating station and an electric diesel generating station. We have a transmission line here from Boulder Dam and supply this area and Southern Nevada with power. This plant was established back in about 1908.

The plant in its present location has operated without any serious interference from the river in all these years, and it has had the protection of the small dike along that river there that was built by the Santa Fe Railroad which has protected all of that area for a great many years, regardless of what the stream flow has been. Since we have operated the gas and electric plant, we have never been faced with a serious water situation as we are today.

Last December the water rose to a point where we had to construct a dike entirely around our power plant and the gas plant to keep the water out of it so we could operate it.

The dike is about 20 feet wide and about 5½ feet high, and runs from the end of our property clear around the side of it. That protects our substation pump. We had to raise the substation and put in pumping equipment there to pump the water out from behind the dike so as to keep the water down. We have spent about \$4,000 so far to continue our operations in that area under these present conditions.

I am fearful that if the elevation of the river is raised to 450 feet at Parker Dam that we will have to abandon our gas plant and our electric generating

plant entirely and move it out of there because it would not be safe to attempt to continue to operate it there under present conditions.

Captain Evan D. Talley, who is connected with the United States Army and was with the troops stationed in the vicinity of Needles at the time of the committee hearing, described the situation at Needles as follows:

I have made some observations and I have talked with citizens of the town regarding their problems of sanitation, and I have made some trips on the other side of the track down to the laundry, and observed the numerous dwellings that have been surrounded with water and stagnant pools.

The disposal of waste in this area that has been partially inundated and covered by water makes it a regular breeding place for mosquitoes and from a sanitary standpoint it is impossible for those places, of course, to have cesspools, and outdoor toilets that have been there have been washed away and standing there and soaking, and we would not stand for a similar situation in the Army, and from the standpoint of health of the people here, if they haven't had an epidemic they are indeed fortunate because all the factors are present that are conducive to the possibilities, and take it from the standpoint of troops that are stationed in and around and through this area, they are likewise subject to the same possibilities of infection should an epidemic break out, as are the citizens of this community.

It is a situation that requires immediate attention and immediate correction, to preserve the health of the people, including the troops that happen to be stationed in this vicinity.

Mr. L. J. Foster, the Construction Engineer for the Bureau of Reclamation, said to the committee:

Unless something is done and the reservoir (back of Parker Dam) goes up to 450 feet, there will be much more damage than there is now. The clear water coming down from Boulder Dam picks up silt. The silt goes down to the Needles area. In the old days the silt would go through and go down to the Yuma area and on into the Gulf, but now it can not do that any longer; the backwaters from the Parker Dam stop it, and it stops between here and Topock.

In a report by M. C. Blanchard, Chief Engineer of the Santa Fe Railway Company, filed January 11, 1944, he says:

In the years 1913 to 1921 the Santa Fe built along the riverbank a substantial earth dike heavily revetted with riprap to protect its property, and incidentally the Town of Needles, against the flood flows of the Colorado River. This dike is some 8,000 feet in length and its location is shown by yellow coloring on the map attached hereto. Its cost in round figures has been \$250,000.

At the time of the construction of this dike, neither the Boulder nor the Parker Dams had been built. This dike, therefore, withstood the full effect of the uncontrolled flood flows which annually occurred. The riverbed at that time was a considerable number of feet below the top of the dike, so much so that when the largest floods occurred, there was ample free board between the surface of the flood water and the top of the dike. Until the past year or two it has afforded adequate protection to the facilities of the Santa Fe and the Town of Needles, and still is the basic protection of these interests.

After the building of the Boulder and Parker Dams, the riverbed above, at, and below Needles, began rapidly to rise because of the deposition of silt and sand, this action being progressive and still continuing. This has brought the riverbed, and with it the water level, even with moderate discharges from Boulder Dam, to a point where only a slight free board remains between the water surface and the top of the dike.

In December of 1943, the water surface of the river was approximately 1½ feet below the top of the dike at certain points, the flow at that time being about 20,000 cubic feet per second. The surface of backwater on the landward side of the dike was about 1½ feet below that of the river surface. This back water had submerged a large part of the area between the dike and the Santa Fe yards, making it necessary for most of the residents in that area to move out. This back water has reached an elevation where it is now about 6 inches deep in the pit of the Railway Company's turntable, and has also come up to the base of the ballast under the tracks over which engines pass to and from the roundhouse. It also does not have far to rise to reach a point where it will submerge the track and oil unloading facilities which are used for replenishing the supply of fuel oil required for locomotives operating into and out of Needles.

In the year 1943, it became necessary for the Railway Company to enlarge and extend its yard tracks, most of the extension being to the east. In building these tracks it was necessary to protect the embankment, not only for the extension of the yard tracks, but also the freight yards for a distance as far east as the ice house. This protection work also reclaimed the sewage disposal plant which had been out of commission for the past several years. This sewage disposal plant serves not only the Santa Fe Railway but also the City of Needles. It is now being rehabilitated at a very considerable cost. In explanation of the

above protection work, which cost us somewhere between \$30,000 and \$35,000, and shown in red on map attached hereto. I might say that the present channel of the river after leaving the easterly end of the long dike referred to above, swings in against the yard and side track area of the Santa Fe and because of the current striking the fill on which these tracks are laid, it was necessary to protect these fills.

The deposition of silt and sand has now raised the level of the riverbed to such a point that should it become necessary to increase the discharge from Boulder Dam to that which may be necessary for the control of flood flows into Lake Mead, there is grave danger that by reason of this increased discharge the present Santa Fe Dike may be over-topped and thus precipitate the direct channel of the river immediately against the unprotected portion of the Santa Fe yard, with consequent probability of overflowing that portion of the railway facilities which are used for the handling of engines in and out of the Needles Terminal, and the further possibility of washing out portions of the yard tracks. In addition to the increased discharges from Boulder Dam there is likelihood of floods in some of the local streams between Boulder Dam and Needles, some of which have water sheds of considerable magnitude, and runoff flood flows in proportion thereto. If one of these local floods should happen to strike at the time of maximum discharge from Lake Mead, the situation at Needles would be serious indeed.

The Santa Fe and the Town of Needles are not responsible for the conditions which have been created by the construction of these dams, and the agency or agencies which own and/or control these dams should be taking immediate steps to rectify the situation which now exists at Needles and which may become seriously aggravated in the near future. All of the transcontinental traffic handled by the Santa Fe Railroad passes through the Town of Needles, at which point the Railway Company has important yards and engine facilities. Any action of the Colorado River which would make the railway facilities at this point inoperative, would seriously affect the transportation of war and civilian supplies to the Southwest Pacific Coast area of the United States. It is, therefore, highly important that the governmental agency or agencies involved take immediate action to construct proper and adequate flood protection for the City of Needles.

The foregoing statement graphically describes the situation which has occurred at Needles, California, since the construction of the Federal projects on the Colorado River and emphasizes the need for immediate action.

So serious and pressing has the situation become, that three different Legislative Committees have studied it and endeavored to work out amicable and prompt solutions of these problems. While each committee has taken evidence as to the cause for the rise in the river and the consequential submerging of Needles and adjacent territory, none of them has made any definite finding as to the responsible agency, nor is that here necessary. Suffice to say that the condition complained of did not exist before the construction of Boulder or Parker Dams, but has developed since and does now exist.

Whatever may be the cause, it can not be denied that the channel is gradually and persistently filling in the vicinity of Needles, thereby raising the river to higher and ever higher elevations and causing the water to be forced through, around, and eventually over the dike, forming a great stagnant pool, in the very heart of this desert center, which is rapidly becoming a stench to the nostrils and a threat to the welfare of those who must make this community their home.

The end is not yet in sight. The debris, detritus, and silt picked up by the clear waters discharged from Boulder Dam will continue to be carried down and deposited along the course of the stream until the river finally adjusts itself to the restrictions placed upon its flow by the act of man. How much more detritus will be deposited along in front of Needles and how much higher the river bed will be forced is a matter of speculation only. A rise in the stream bed of but a very few feet will practically destroy Needles and the various public utility installations in that vicinity and interrupt both rail and highway transportation.

Hope of averting further damage lies in the immediate raising and extension of the Santa Fe Dike, under the plan suggested by Mr. L. J. Foster, Construction Engineer for the Bureau of Reclamation, in his report of April, 1942. The committee sought to have this accomplished through an amicable arrangement between the Metropolitan Water District, the Federal Government, and the Santa Fe Railway Company, and a number of meetings were held with the hope of bringing the interested parties into such an agreement.

We are now satisfied that no satisfactory amicable solution can be had due to the attitude of the Metropolitan Water District. This does not necessarily mean that the Metropolitan Water District is not sympathetic and is not in accord with the solution proposed by Mr. Foster. The refusal of the district and the reason therefor is well stated in a report made to its board of directors by its engineering and operating committee, filed January 14, 1944, which is as follows:

On August 13, 1943, Senator Ralph E. Swing of San Bernardino, Mayor W. M. Claypool of Needles, Construction Engineer L. J. Foster of the United

States Bureau of Reclamation at Yuma, Arizona, and other interested officials, appeared before the board of directors of The Metropolitan Water District of Southern California, for the purpose of describing a flood condition in the Colorado River at Needles, attributing the condition to the construction and operation of Parker Dam, and urging that the district participate in the construction of protective works at Needles. The matter was referred by the board of directors to its engineering and operations committee for consideration and report.

This subject was discussed at a meeting of the engineering and operations committee on September 3, 1943, and it was concluded that before attempting to reach a decision, the committee should visit and inspect the site of the alleged damage. Such an inspection was made on November 2, 1943.

The matter was subsequently discussed by the committee on November 12, 1943, and on December 17, 1943, at a hearing before the committee granted to Senator Swing and his committee.

The members of the committee are impressed with the seriousness of the situation and with the earnestness and diligence with which the representatives of Needles, and the Legislative Committee, have presented their request. However, to justify the expenditure of district funds, it must appear that some liability exists or that the interests of the district will be advanced by the expenditure.

Consideration of the observations made in the field and of the data presented by the engineering and legal staffs of the district discloses the following facts:

1. That Parker Dam is not responsible for the flood condition and resultant damage occurring at and in the vicinity of Needles.

2. That Parker Dam is not owned, nor is it operated, by the district. It is owned and operated by the United States. The district has no liability to persons or property injured thereby. The district's only connection with the dam arises out of a contract between the district and the United States. Under the contract, certain benefits from the project are available to the district and, with respect to some types of damage claims, the district is in the position of an indemnitor of the United States.

3. Thus, even if Parker Dam were the cause of the damages complained of, any liability that the district might have in the matter would be a liability to the United States, based upon and limited by the terms of the contract referred to. Under no circumstances would any liability on the part of the district run to the owners of injured property. Any questions that may arise as to contract liability should be settled by the parties to the contract, in this instance by the district and the United States.

4. Contributions to the cost of protective works at Needles would not, in the opinion of the committee, advance the interests of the district.

It is therefore recommended that the district do not undertake to participate in the construction of protective works at Needles, and that the Legislative Committee of which Senator Swing is chairman, and the City of Needles, be so advised.

During the meeting referred to in this report, Mr. James H. Howard, chief counsel for the district, suggested that an appeal be made by our committee directly to the Federal Government and its proper agencies for the necessary action. He further suggested that any liability of the district for the situation complained of, should be adjusted between the district and the Governmental agency and not through this committee. With this suggestion we are in accord. It is not the province of this committee to determine the responsible agency nor to adjust any differences that might arise between any such agency and the Federal Government. The suggestion of Mr. Howard that appeal be made to the proper Federal agency for prompt action is timely, and it is by reason of such suggestion that this committee makes this report and recommends the adoption of a suitable resolution calling upon the Federal Government and its agencies to immediately take action to protect the City of Needles and vicinity from further damage from the river conditions hereinbefore referred to.

The situation is urgent, the danger imminent, and even though this be war times, the Colorado River will not hold back, but continues to roll on, piling up more and more silt and debris along its channel, ever increasing the hazards and dangers caused thereby. The remedy is in appeal by our Sovereign State to the Government of the United States for relief and protection for its citizens from the damage and dangers resulting from the construction of Federal projects along and on this turbulent stream.

We recommend the adoption of the joint resolution this day submitted, and further recommend that copies of this report be transmitted with such resolution to the President of the United States, to the Members of the California Delegation in Congress, and to the United States Bureau of Reclamation.

Respectfully submitted.

Senators: ED FLETCHER
E. GEORGE LUCKEY
RALPH E. SWING, Chairman
Members of Committee

RECESS

At 11.40 p.m., on motion of Senator Seawell, the Senate recessed until call of the Chair.

IN JOINT CONVENTION

ASSEMBLY CHAMBER,

SACRAMENTO, THURSDAY, January 27, 1944

At 11.45 a.m., the Senate and the Assembly met in Joint Convention.

SENATE ROLL CALL

Hon. Frederick F. Houser, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—36.

The President declared a quorum of the Senate present.

ASSEMBLY ROLL CALL

Hon. Charles W. Lyon, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

The Speaker declared a quorum of the Assembly present.

REGULAR ORDER OF BUSINESS

The President announced the appointment of Senators Seawell, Chairman; DeLap, and McBride as the Senate Committee to escort Governor Warren to the Joint Convention.

The Speaker announced the appointment of Messrs. Heisinger, Berry, Hawkins, and Armstrong as the Assembly Committee to escort Governor Warren to the Joint Convention.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 99

The Speaker announced that, by unanimous consent, Assembly Rule No. 99 would be temporarily suspended for the purpose of permitting the Members' guests to be present on the floor of the Assembly during the Joint Convention.

PRESENTATION OF THE GOVERNOR

Hon. Charles W. Lyon, Speaker of the Assembly, presented Governor Earl Warren to the Joint Convention.

Address by the Governor

Governor Warren then proceeded to address the Joint Convention as follows:

Remarks by Governor Earl Warren

Mr. Speaker, Lieutenant Governor Hauser, and Members of the Senate and Assembly:

I have asked you to meet in special session on this occasion because there are four matters of vital importance to our State which in my opinion are the work of this Legislature, and should not be postponed until the Fifty-sixth Regular Session. As you might well imagine, the mere suggestion of the call brought forth requests for the inclusion of numerous matters which, in the aggregate, could have consumed as much of your time as a regular session. Many of these matters were important, and some contained an element of urgency, but, in order to conserve your valuable time, I have limited the call to the following four matters which are vital both from the standpoint of time and subject matter.

Among the matters which I seriously considered for the call is that of returning to Standard Time from War Time. Many individuals and groups have urged me to take such action because of the inconveniences involved in living under the present system. I am convinced that it is a handicap to many of our farmers but also greatly interferes with the efficiency of our school system. Having watched my own little ones start to school every morning in the darkness of night, I was sympathetic to their situations. I therefore consulted with our Attorney General, wrote to the President of the United States, and ascertained whether any action taken by the State could be followed by the railroads and other agencies of interstate commerce. After doing these things I concluded that there is nothing that the Legislature or I can do to change the situation. There is a popular belief that because my predecessor issued a proclamation in connection with the establishment of War Time, that the mere issuance of a contrary proclamation by me would serve to restore us to Standard Time. The Attorney General advises me that such is not the case.

I am advised by the railroads that it would be necessary for them to maintain their schedules according to War Time, and that their problems and those of the traveling public would be multiplied by any attempt to maintain two systems of time in California.

Yesterday I received the following telegram from the President:

In response to your telegram of January 20th concerning California's return to Standard Time, I believe such action now would be ill-advised and that your State should remain on War Time throughout the year 1944. War Department study has indicated that a change to Standard Time would require a greater power generating capacity, with accompanying increase in the use of fuel oil and gas; also of labor and transportation facilities for expanding generating capacity. During the coming year our facilities will be taxed to the limit in preparation for the growing military effort in the Pacific. I am sure you will agree that our industrial schedule should not be jeopardized by any change in our present War Time program.

(Signed)

FRANKLIN D. ROOSEVELT

Under the circumstances, it appears to me that no effective action can be taken at this time by either the Legislature or myself.

You are all welcome to see the file on the subject in my office.

The first matter in the call is the question of the voting of our Soldiers. You applied yourselves in a general way to this subject at the regular session by making it possible for company officers to swear and verify the signatures of men in their command. However, since that time, many thousands of our boys have gone to the most distant battlefronts of the world, and it is now apparent that if they are actually to have the opportunity as well as the right to vote, it will be necessary to liberalize the procedure for their registration and the manner of requesting ballots, as well as to lengthen the time between the mailing out and the return of their ballots. I have discussed this matter with your appropriate officers and committees, with our Commission on Interstate Cooperation, the Secretary of State, Legislative Counsel, the Attorney General and the county clerks of the State. It is the consensus of opinion among this group that by the simple process of stepping up the performance of all statutory acts precedent to the election, and the retarding of all acts to be performed subsequent to the election, the elapsed time between mailing out and receiving back Soldiers' ballots can be increased from 26 to 56 days. This additional time, combined with the opportunity to register and vote simultaneously and a more liberal use of air mail where possible, should, with the cooperation of the armed forces, enable our protectors to vote, whether they are stationed in the Sacramento or Nile Valley, and Mojave or Sahara Desert, or the Catalina or Solomon Islands. We do not yet know to what extent the Army and Navy will be able to cooperate in the handling of our election mail. Neither can we guess what if any action Congress will take in connection with Soldier voting. But I know that you will agree with me when I say that regardless of what is done by any of these agencies, we want every Californian in the armed forces to know that his State is doing everything possible to enable him to vote

wherever he may be. Somehow or other, I have the belief that these Californians—whether they are in fox-holes, on the decks of destroyers, or in a flying fortress—as they look up to the stars and think of our Homeland, will have a clearer understanding of what we are striving for and will receive more Divine guidance than will the remainder of us who are removed from all sense of personal danger and who are too often guided by the prejudices that result from petty irritations rather than from sacrificial service. We need the moral force and the spiritual uplift that will come from their participation in Governmental affairs more than they do, and we want them to vote without regard to color, creed, political belief, or any other artificial classification that tends to divide Americans. I think you will have no difficulty in speedily adopting the recommended bill or some adaptation of it which will accomplish the desired purpose.

The next matter is equally important from the standpoint of time, because it calls for the submission of a constitutional amendment at the coming election. When the California State Constitution was framed in 1879, Section 1 of Article XIII expressly exempted from taxation all property owned by the United States Government. At that time, Federally-owned property outside of the public domain was limited to forts, arsenals, customs houses, post offices, and a very few other such buildings. Government was simple in those days, but since the turn of the century, and particularly in recent years, the Federal Government has engaged in numerous activities believed prior to that time to be the functions of State Government. Hundreds of Federal agencies have sprung into being, some of them strictly governmental, others little different from private business organizations. Many of these agencies and the military forces have purchased outright valuable pieces of property in our State. Such purchase automatically takes them from the tax rolls of our local subdivisions. At the present time about 43 per cent of the area of this State, with a total assessed valuation of several hundred million dollars, belongs to the Federal Government. In two California counties, Alpine and Inyo, the percentage approximates 90 per cent. In Trinity, Tuolumne, Mono, Plumas and Del Norte it approximates 70 per cent, and in El Dorado, Fresno, Lake, Lassen, Mariposa, Modoc, Riverside, Santa Barbara, Sierra, Siskiyou, Tulare and Ventura Counties, it amounts to somewhere between 40 and 65 per cent. Much of this property enjoys the same services of State and local government as does privately owned property, although it does not make an equitable contribution to them. Since 1938, the Federal Government has removed from the assessment rolls of our local governments property of the value of nearly \$100,000,000, resulting in an additional loss of \$2,500,000 in revenue to the local governments involved. Obviously this works a hardship on the finances of many of our local governments. Congress has given some indication that it is interested in granting relief from this situation and has actually authorized the taxation by the States and their political subdivisions of real property owned by Reconstruction Finance Corporation and its subsidiaries, as well as a few other Federal agencies. Section 1 of Article XIII of our Constitution, exempting as it does from taxation all property owned by the Government of the United States, deprives California of the opportunity to take advantage of the action of Congress. It is reasonable to believe that Congress will in justice grant still further relief along this line. At the present time, however, we are in no position to urge it because we could not accept the benefits if they were given. Therefore, after consultation with the President pro tempore of the Senate and members of the Interim Committee on Taxation, I have had prepared by the Legislative Counsel and the Attorney General a constitutional amendment for submission to the people in the November, 1944, election which will authorize the State of California and its political subdivisions to tax Federal property in those instances where Congress has already consented or may in the future do so. The issue is one of equity, for it would be grossly unfair to California if its Constitution enjoined its political subdivisions from taxing Federal property while other States were doing so.

If you agree with the principle of the proposals, I believe you will have no difficulty in adjusting the details of the proposed amendment to your views.

Third, I have been advised by the League of California Cities that some urgency amendments to certain municipal charters are awaiting action by the Legislature. They can not become effective, of course, until ratified by you. There are only a few of them and I believe that their consideration will not take a great amount of your time.

I now come to the management of our prisons, a matter which has long challenged the interest of the Legislature, the Governor's office and groups interested in penology, but which has never commanded their joint action at any one time. When one focused its attention on the problem, the others were so engaged that their services could not be enlisted. At your last session, a splendid committee of the Senate, after an exhaustive study, filed a report on March 16th, pointing out certain shortcomings in prison management and advocating certain changes which are the basis of my present recommendations to you.

That committee reported in part as follows:

"That entire reorganization of the penal system be made with a director at its head, skilled and trained in modern penological practices * * * and should be given wide powers over the institutions, their management and control."

And this is only one of a series of studies made by the Legislature or at its request during the last 10 years.

In 1934, the Bureau of Public Administration, University of California, rendered a report to the Legislature which in part reads as follows:

"California's present plan of penal administration originated in 1879, when the problems of prison administration and management were comparatively simple, while at the present time the development of prison affairs has become so complex that a lay board of five members can no longer by itself adequately administer the system. Other large States, such as Illinois, Massachusetts, New York, and Ohio, with similar complex prison problems, have found it expedient to organize a separate department of the State Government to deal with this matter. Such a department, headed by a single, qualified executive with wide powers, could develop and put into practice modern and progressive programs dealing with California's Prison System."

Also, the Final Report of the Committee on State Organization submitted to the Governor and the Legislature in 1941, arrived at the same conclusion.

Recent developments caused me to appoint a committee consisting of:

Julian H. Alco, Chairman; Member of the Board of Prison Directors
Charles H. Ducl, Senator; Member of the Legislature
Burdette J. Daniels, Legislative Secretary to the Governor
Pierce H. Fazel, Analyst, Department of Finance
Walter Gordon, Member of the Board of Prison Terms and Paroles
Karl Holton, Director of California Youth Authority
Joseph H. McClelland, Chief Special Agent the Attorney General

They have confirmed these prior findings.

The fact is that for years everyone who has studied our present system has come to the realization that the structure is unsound and must be reconstructed if we are to make progress. The same weaknesses have been apparent under all boards and I want to say that my remarks today are directed against the system rather than toward the individuals who are administering it. I have known most of the members of the Board of Prison Directors for the past 20 years and, in my opinion, they have all been fine men. However, as at present, conditions have often arisen in the past which showed the weakness of our system and the necessity for change. Sixty-five years ago, in 1879, when our present Constitution was adopted, and when we had one small penitentiary at San Quentin, the management of our Penal System was placed in the hands of a non-paid Board of Prison Management. Since that time, our Prison System has grown until we have four major institutions with thousands in custody and other thousands on parole. The three prisons for men are each under the separate management of a warden, with no central business management, no over-all policy or pattern of custodial care and with each warden subject only to the supervision of the part-time Prison Board, and the informal activities of its members which have often been too personalized to reflect the policies of the board. The present board, according to its own records in the past two years, has met eight times at Folsom, 13 times at San Quentin and 8 times at Chino.

It is logical to expect that loose practices would result from such lack of administrative direction and they have so developed. To merely say that the business practices in vogue are inefficient would be an understatement. Thousands of dollars have been spent according to the whim of a warden and without accounting for it. Hundreds of animals are unaccounted for on the farm, crowds of people as high as 800 have been permitted to eat at the prisons without adequate control or financial accounting to the State, and a general looseness in accountability is without question costing the State thousands of dollars each month.

On the custodial side, the classification of prisoners is wholly inadequate. The selection of prisoners for the various work camps is without policy or pattern with the result that during the past year 100 convicts have escaped. Of these, 3 are murderers; 32 crimes of first degree robberies were committed which means gun men; 7 first degree burglaries, and 30 crimes of second degree burglary were committed; 4 rapists and other sex criminals. There is a general looseness in discipline and a system of so-called "con boss" rule that spells favoritism and injustice. There is a low morale in the guard lines, and the authority of the "convict bosses" has often been greater than that of the captain of the guard.

Our parole system as administered by the Board of Prison Terms and Paroles and the Bureau of Paroles which is under the jurisdiction of the Board of Prison Directors is not an integrated unit and can not be said to be effective.

Under our system there is no official contact between the Women's Institution at Tehachapi and the prisons for men—and the Youth Authority is disassociated from both.

What almost every investigating body has recommended, and what I now suggest to the Legislature, is that we reorganize our system so as to assemble in one department of our State Government (to be known as the Department of Corrections) all of our corrective institutions; that in order to have a sound over-all business administration and a complete pattern for custodial care, we have a Director of Corrections with authority to manage our institutions and with definite responsibility to the Governor for the standards of care and management maintained. In this department we suggest that there be a policy-forming board to be known as the Board of Corrections,

consisting of the three members of the Youth Authority as now constituted, an Adult Authority of three members, which would be the full-time successors to the present part-time Board of Prison Terms and Paroles, and two members of the Board of Trustees of the Women's Institution at Tehachapi.

The changes made in the duties and responsibilities are not great but it is the belief of those who have worked on the program that the inconsistencies and conflicts of jurisdiction now existing between the Board of Prison Directors, the Board of Prison Terms and Paroles, and the Bureau of Paroles have been eliminated.

It is my belief that in so organizing our corrective system we can approach our problems from a balanced point of view. The crime problems of youth and women are inseparably connected with those of men. Unfortunately, too many of the graduates of our reform schools soon matriculate at San Quentin. From that time on they become a product of our prison and parole system.

I believe we can have a corrective system for youths that will do a far better job than we have yet done in preventing children from becoming confirmed criminals. I believe we can have an enlightened prison system that will reflect sound business management and rehabilitating custodial care—not a cruel system, nor even a harsh system, but a system that does recognize discipline as the basic essential of orderly conduct. I am sure we can improve the standards of parole and encourage more men to lead an honorable life than has been done in the past. All of these things we can do if authority and responsibility are made commensurate with one another.

The question has been asked: Why should this action be taken in special session? In my opinion, there are several reasons. First, we can not continue to talk about without acting on a subject which is of such importance to the safety of every home in California. Over 90 per cent of the men in our penal institutions eventually leave them to become our neighbors. Whether they are to be better or worse after their experience depends largely upon our prison and parole system.

At the present time we have fewer prisoners in our penitentiaries than at any time in 20 years. This is a product of the war. It invariably happens that way. Ten years ago with 2,000,000 less people in the State we had 8,500 prisoners as compared with 8,000 today. But this is the lull before the storm. War has a brutalizing effect upon humanity and every war is followed by a tidal wave of crime. It is certain to come to us; a very few years after the war will without doubt see 10,000 men in our penitentiaries. Now is the time to prepare for the storm.

If we can not house 5,000 prisoners properly now, what will we do then?

There is another reason why I ask for action now. The Board of Prison Directors, in order to remedy the defects, is pressing me for innumerable jobs to be paid for out of the Emergency Fund which we are faithfully endeavoring to conserve in accordance with your wishes. The board is now requesting from that fund, money for 26 new employees at San Quentin at a cost of \$60,000 per year. Ten permanent guards are requested for Folsom. I do not believe they are necessary but realizing the chaotic condition there, I have authorized the employment of them for a period of three months. I have also authorized the employment of a stenographic secretary to eliminate a convict boss secretary. Eight supervisors have been approved for a project at the Mira Loma Army Quartermaster Depot and there is a current request for a supervisor of clothing. In the aggregate these represent a large expenditure. I have no way of knowing the merits of the request, but I can not see why our Prison System would require 50 more employees than it has had at a time when our present prison population was almost twice its present size. This is particularly true, when at most the creation of the new positions will merely be a gesture toward waving the tide back rather than to remodel the structure along modern lines.

In the preparation of the suggested bill, I have counselled with the Attorney General, the officers of your bodies and committees, the Legislative Counsel, the Bureau of Public Administration of the University of California, members of the Board of Prison Directors, and the Board of Prison Terms and Paroles, the Director of Federal Prisons and interested groups. We believe we have prepared a sound bill—one that will, in all respects, warrant analysis and public scrutiny. We are bringing it in conformity with the Civil Service System of the State and making the principal appointments subject to confirmation by the Senate. I was pleased yesterday to receive the following telegram from Mr. James V. Bennett, Director of Federal Prisons:

"Believe that proposed criminal and penal reform bill is sound and progressive and will make possible much needed improvements in California prison system by centralizing authority and responsibility and (the application of modern administrative methods to your prisons). The principles underlying California method of sentencing and treatment of youthful and adult offenders are eminently sound and forward looking and need only to be implemented by the forthright administration I believe this bill and your leadership will make possible. Congratulations and best wishes."

I hope you will agree with the principles we are forwarding in this bill and that you will establish them in the law of our State. I want to be helpful in the establishment and administration of a modern system of penology. I have had some experience in the field of law enforcement and I believe that it is as important to society for us to do our best to rehabilitate prisoners as it is to convict them of their crimes. It is

only in that manner and by a program which will prevent children from entering a life of crime that we can adequately protect the name of California from the consequences of criminal conduct.

Juvenile delinquency is greatly on the increase, and it must be remembered that unless these wayward youths are diverted to normal lives they will be the criminals of tomorrow. Your fine Assembly committee is working diligently in this field. We will be happy to work with it and other related committees in an effort to attack our crime problem as a whole. We can be helpful if you give us a structure that is consistent with present-day penological methods and with modern business practice.

ADJOURNMENT OF JOINT CONVENTION

There being no further business, at 12.45 p.m., the Speaker of the Assembly declared the Joint Convention adjourned.

IN SENATE

REASSEMBLED

At 12.50 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.
Secretary J. A. Beek at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered :

Senate Concurrent Resolution No. 2: By Senator Crittenden—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof at a general municipal election held therein on Tuesday, October 12, 1943.

Request for Unanimous Consent

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof at a general municipal election held therein on Tuesday, October 12, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered :

Senate Concurrent Resolution No. 3: By Senators Breed, Deuel, Slater, Mayo, and Judah—Relative to the death of Friend W. Richardson.

Request for Unanimous Consent

Senators Breed and Slater asked for, and were granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

Senate Concurrent Resolution No. 3—Relative to the death of Friend William Richardson.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Concurrent Resolution No. 4: By Senator Judah—Approving a certain amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of May, 1943.

Request for Unanimous Consent

Senator Judah asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Approving a certain amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of May, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Swan, Tenney, and Ward—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following bills were introduced, and read the first time:

Senate Joint Resolution No. 1: By Senator Swing—Relative to memorializing the Bureau of Reclamation, Secretary of Interior, and Secretary of War to take immediate action to protect Needles, California,

and vicinity, from further damage and dangers resulting from the filling in of the Colorado River bed and the rise of the river since the completion of Federal projects upon that river.

Without reference to committee. Ordered held at the desk.

Senate Constitutional Amendment No. 1: By Senator Seawell—Proposed amendment to Article XIII, Section 1 of the Constitution, relative to revenue and taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1: By Senators Duell, Gordon, Hatfield, Mayo, and Swan—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Referred to Committee on Governmental Efficiency.

Senate Bill No. 2: By Senators Breed, Slater, Salsman, Tickle, Parkman, Crittenden, Biggar, Ward, Dillinger, Quinn, Hatfield, Luckey, and McCormack—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, and to repeal Section 132.5 of, the Elections

Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day elected the following officers for the Fifty-fifth (Third Extraordinary) Session:

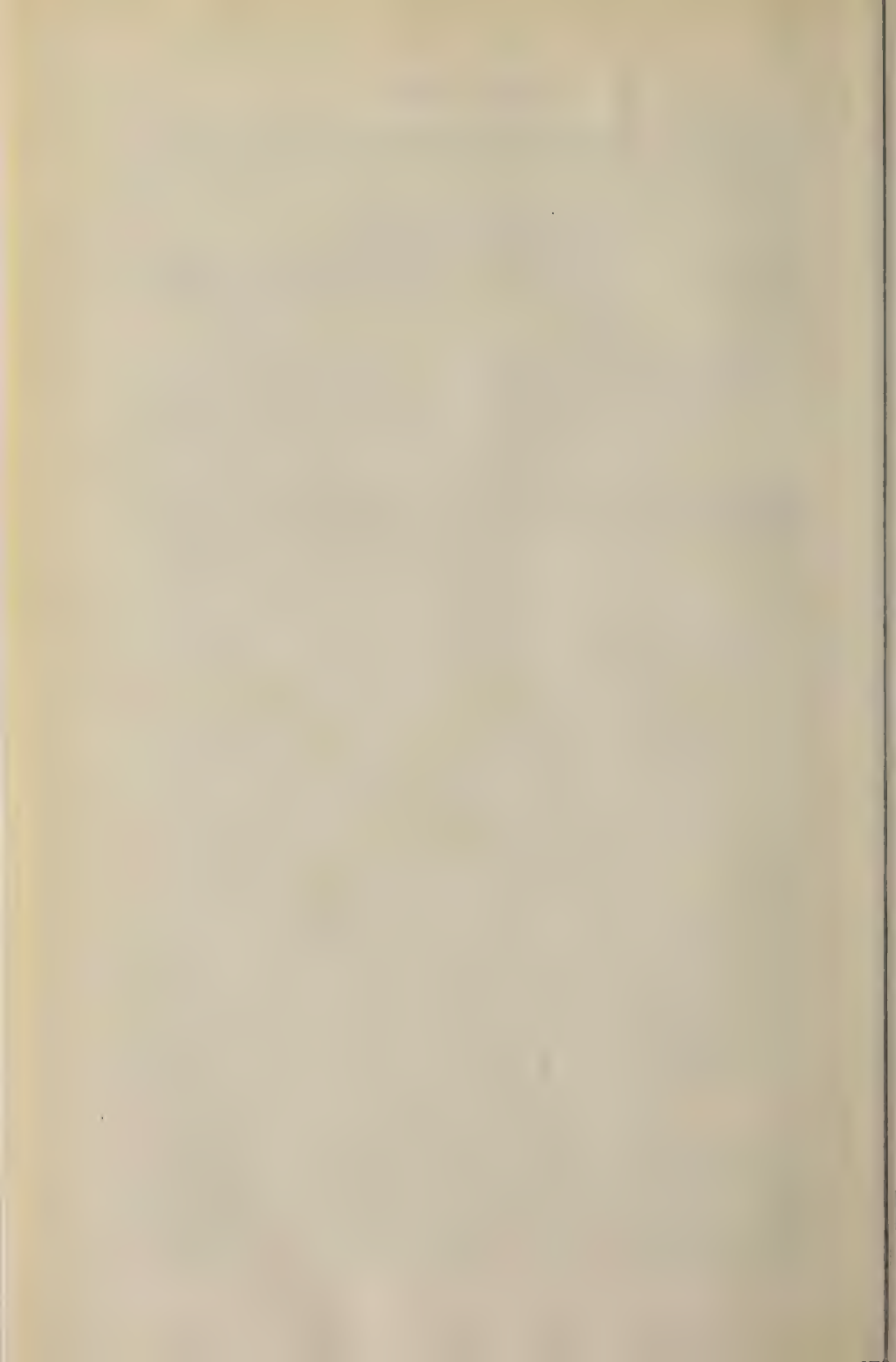
Hon. Charles W. Lyon	-----	<i>Speaker</i>
Hon. Thomas A. Maloney	-----	<i>Speaker pro tempore</i>
Arthur A. Ohnimus	-----	<i>Chief Clerk</i>
C. William Queale	-----	<i>Minute Clerk</i>
Wilkie Ogg	-----	<i>Sergeant-at-Arms</i>
Rev. Clarence A. Kircher	-----	<i>Chaplain</i>

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ADJOURNMENT

At 1.10 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Friday, January 28, 1944, out of respect to the memory of former Governor Friend W. Richardson.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

SECOND LEGISLATIVE DAY
SECOND CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Friday, January 28, 1944

The Senate met at 11 a.m.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—37.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Richard C. Dwyer.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Herman Jones of Shoshone, California, Mrs. Vina Jones of Sacramento, Mrs. Catherine Spainbower of Lone Pine, and Mrs. Dorothy Cragen, Superintendent of Schools, Independence.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. W. Churchman of San Diego, and Mr. Harold Ward of Orchard, Michigan.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Theo. Nickle, Superintendent of Schools, Tulare County.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Jere Hurley of Yreka, and Mr. Geo. A. Tebbe of Yreka.

On request of Senator Tenney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Edward A. Ericson of San Francisco.

COMMUNICATIONS

The following communications were received, read, and on motion of Senator Tickle, ordered printed in the Journal:

By Senator Tickle:

LOS ANGELES, CALIFORNIA, January 27, 1944

*Honorable Edward H. Tickle
Chairman Republican State Central Committee
Senate Chamber*

Today is California's hour of destiny. You, the elected representative of her people, can meet the National challenge for that great American leadership needed in this hour. To the demand that arises from 48 States reply "Here, take the man of California we have found incomparable, Governor Earl Warren." You, his co-workers, with whose aid he has worked the California miracle within 12 months, may say "We will lend you, for a period of National service, this illustrious native son of California who has opened a new era in this Golden State, that he may work a new miracle of understanding and cooperation for America." As a veteran, the Governor's call of today is evidence of his ever mindfulness of the interest of our National defenders. His recommendation for prison reorganization and reform is of National moment. The unexcelled Warren qualities of leadership, his executive acumen, will be needed by America. What an imprint has already been made upon the Country by Governor Warren's State of record accomplishments! You, who share with him the credit for these accomplishments, can best recount them to a responsive Nation. You can exult in recommendation of a leader who has redeemed the State from a destructive partisan of bitterness, restoring it to constructive cooperation, and to unity unrivaled. Although a former Member of California Legislative Body, I offer this appeal expressive merely of the sentiments of an average American citizen of long residence in this Commonwealth. Give California the preeminence our beloved State merits. Grant California the honor of offering to America a priceless inspiring leadership. Indorse the record of Governor Earl Warren by resolution that will commend him to the Nation and to his party convention as the builder of confidence, of character, and of faith in our American institutions so vitally needed both in the defense and in the preservation of our Country.

Yours for California and for America.

FREDERICK M. ROBERTS

BUREAU OF PRINTING
SACRAMENTO (14), January 27, 1944

*Hon. Joseph A. Beek, Secretary California Senate,
State Capitol, Sacramento, California*

DEAR MR. BEEK: There has been deposited this day with the State Treasurer for the account of the Legislative Printing Fund our check for \$3,954.04. This represents sales of Legislative printing for the period from July 1, 1943, to December 31, 1943. Our sales for this period at cost price were \$11,933.50. Publications received by the Legislature from the Bureau of Printing, Documents Division, cost of which is to be deducted from this amount, total \$7,979.46. We are therefore reimbursing your printing account in the sum of \$3,954.04.

Respectfully submitted.

GEORGE H. MOORE, State Printer

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
SACRAMENTO (14), CALIFORNIA, January 27, 1944

*Hon. Joseph A. Beek, Secretary
State Senate, State Capitol, Sacramento, California*

DEAR MR. BEEK: Attached hereto is a copy of a resolution dealing with the matter of combining the Presidential primary and State primary elections in order that the military forces can vote at the 1944 National and State elections.

American principles of justice and equality demand that none of our citizens be denied the right of franchise.

This would also mean a saving of over \$2,000,000 to the common property taxpayer in the 58 counties of California and would be a very material saving in vital manpower hours and essential war materials, such as paper, rubber and gasoline, with many other savings so absolutely necessary in this all-out effort.

This matter has received very careful consideration and has the endorsement of the Supervisors of California, and we earnestly urge your favorable consideration.

Respectfully submitted.

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
ROSCOE L. PATTERSON, President
J. H. HUNTER, Secretary

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA
SACRAMENTO, CALIFORNIA

Resolution

In the matter of combining the Presidential primary and State primary elections in order that the military forces can vote at the 1944 National and State Elections

WHEREAS, A combining of the Presidential primary and the August primary elections in the year 1944 would facilitate providing for voting by members of the armed forces; and

WHEREAS, Such combination would facilitate the delivery of ballots to members of the military forces in the field of action; and

WHEREAS, Such consolidation would effect a saving of over \$2,000,000 to the common property taxpayer in the 58 counties of California; now, therefore, be it

Resolved by the Board of Directors of the County Supervisors Association of California, That it favors legislation adequately providing for the right of voting on the part of members of the armed forces and legislation providing for a consolidation of the Presidential primary and the August primary in the year 1944.

The above resolution was unanimously approved at a regular meeting of the Board of Directors of the County Supervisors Association of California, held in the Supervisors Room, Courthouse, Oakland, California, Friday, January 21, 1944.

COUNTY SUPERVISORS ASSOCIATION OF CALIFORNIA

ROScoe L. PATTERSON, President

J. H. HUNTER, Secretary

[SEAL]

By Senator Crittenden:

STOCKTON, CALIFORNIA, January 27, 1944

Senator Bradford S. Crittenden

Senate Chamber, Sacramento, California

The Board of Supervisors of the County of San Joaquin are in favor of the consolidation of the May and August primary elections and request your support. This would effect the saving of \$25,000 for this county.

SAN JOAQUIN COUNTY BOARD OF SUPERVISORS

W. R. RUGGLES, Chairman

RESOLUTIONS

The following resolution was offered:

By Senator Hatfield:

Senate Resolution No. 10

Relating to the illness of Peter P. Myhand

WHEREAS, The Members of this Senate are sorry to learn that their friend and former colleague, Peter P. Myhand, has but recently been released from the hospital following a serious illness; and

WHEREAS, Peter P. Myhand has faithfully and ably served the people of the State of California as Member of the Senate from 1938 to 1942, as member of the State Board of Agriculture, and as Councilman and Mayor of the City of Merced, and is now actively interested in carrying out the provisions of the California Food and Fibre Act; now, therefore, be it

Resolved by the Senate of the State of California, That the Members of this Senate do hereby express their sympathy to Peter P. Myhand over his illness, and wish him a speedy and complete recovery; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Peter P. Myhand.

Resolution read and unanimously adopted.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO, January 27, 1944

To the Senate of the State of California

I have the honor to inform you that I have made the following appointments, and respectfully request your confirmation thereof and consent thereto:

HERBERT C. JONES, resident of the City of San Jose, Attorney at Law and former State Senator, to the Board of Trustees, Agnews State Hospital, vice Dr. E. W. Hitchman, term expired, for the term prescribed by law. Appointed October 30, 1943.

- MRS. MARY HAYWARD, resident of Santa Clara, business woman in real estate and insurance business, to the Board of Trustees, Agnews State Hospital, vice B. D. Draper, term expired, for the term prescribed by law. Appointed October 30, 1943.
- C. C. COTTRELL, resident of San Jose, Attorney at Law, to the Board of Trustees, Agnews State Hospital, vice Charles McDonald, term expired, for the term prescribed by law. Appointed October 30, 1943.
- C. C. POMEROY, resident of San Jose, retired business man and chairman of Draft Board No. 109, San Jose, to the Board of Trustees, Agnews State Hospital, vice Dr. A. Knudsen, term expired, for the term prescribed by law. Appointed October 30, 1943.
- REV. JOHN J. LAHERTY, resident of San Jose, Priest of St. Joseph's Catholic Church, active in social work for many years and a member of the parole board for that district, to the Board of Trustees, Agnews State Hospital, vice C. V. Shessler, term expired, for the term prescribed by law. Appointed October 30, 1943.
- MAYNARD GARRISON, a resident of Pasadena, a native of Ceres, California, member of the firm of Betts and Garrison, active in the insurance section of the American Bar Association, to Insurance Commissioner vice Anthony J. Caminetti, Jr., term expired, for the term prescribed by law. Appointed October 1, 1943.
- GEORGE H. WILSON, a resident of Clarksburg, director of the National Sugar Beet Assn., California Asparagus Assn., and American Farm Bureau Federation, to the California Farm Production Council, representing field crops, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- CAMILLE A. GARNIER, a resident of Puente, Los Angeles County, president of the Los Angeles County Farm Business Federation, producer of market vegetables, to the California Farm Production Council, representing truck crops, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- LOREN BAMERT, a resident of Ione, president of the California Cattle Raisers Assn., widely known for raising pure bred cattle, to the California Farm Production Council, representing live stock, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- A. J. MCFADDEN, a resident of Santa Ana, president of the California State Board of Agriculture, chairman of the agricultural committee of the State Chamber of Commerce, official of California Fruit Growers Exchange and the California Walnut Growers Assn., to the California Farm Production Council, representing citrus fruits and walnuts, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- W. L. SMITH, a resident of Buttonwillow, director of the National Cotton Council and California State Grange, member of the State Board of Agriculture, to the California Farm Production Council, representing cotton, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- FRANK M. SHAY, a resident of San Jose, president of the California Prune and Apricot Growers Assn., to the California Farm Production Council, representing deciduous fruits, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- JOE HART, a resident of Modesto, Stanislaus County dairyman, past chairman of the California Farm Bureau's dairy department, and prominent in other Western dairy groups, to the California Farm Production Council, representing dairy industry, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.
- JAMES A. GUTHRIE, a resident of San Bernardino, president of San Bernardino Daily Sun, member of the advisory board, Automobile Club of Southern California and City Traffic and Safety Commission, also member of board of directors, San Bernardino Chamber of Commerce, to the California Highway Commission, vice Helen MacGregor, term expired, for the term prescribed by law. Appointed September 14, 1943.
- C. ARNHOLT SMITH, a resident of San Diego, one of the leading bankers in Southern California, president of the Clearing House Association of San Diego, president of the United States National Bank and National Iron Works of San Diego, to the California Highway Commission, vice Dora Shaw Heffner, term expired, for the term prescribed by law. Appointed September 14, 1943.
- HOMER P. BROWN, a resident of Placerville, general manager of the Diamond Springs Lime Company, member El Dorado Chamber of Commerce, director of Mother Lode Highway Association, to the California Highway Commission, for the term prescribed by law. Appointed September 14, 1943.

CHESTER H. WARLOW, a resident of Fresno, is a lawyer, banker and oil company executive, member of the roads and resorts committee of the Fresno County Chamber of Commerce and of the executive committee of the local council serving on committee of roads and highways, to the California Highway Commission, vice W. T. Sweigert, term expired, for the term prescribed by law. Appointed September 14, 1943.

F. WALTER SANDELIN, a resident of Ukiah, hotel owner and manager, past president of Ukiah Rotary Club and Ukiah Chamber of Commerce, chairman of the transportation committee of the Redwood Empire Association, also vice president and director, to the California Highway Commission vice self, term expired, for the term prescribed by law. Appointed September 14, 1943.

HARRISON R. BAKER, a resident of Pasadena, well known real estate man, prominent in social, civic, and business organizations, member of the Pasadena Planning Commission, one of the foremost real estate valuation experts in Southern California, to the California Highway Commission, vice Verne Scoggins, term expired, for the term prescribed by law. Appointed September 14, 1943.

EDGAR E. LAMPTON, a resident of Los Angeles, past subcontractor, Deputy Labor Commissioner, public and labor relations director for Automobile Club of Southern California, active in campaigns to enlist the cooperation of car owners in the war effort, to the California Unemployment Insurance Appeals Board, for the term prescribed by law. Appointed August 27, 1943.

MICHAEL B. KUNZ, resident of Sacramento, member of the Plumbers Union for 31 years, city councilman and labor representative, past manager of the U. S. Employment Service, representative of the Sacramento-Yolo Building Trades Council, to the California Unemployment Insurance Appeals Board, for the term prescribed by law. Appointed August 27, 1943.

HOMER W. BUCKLEY, resident of Oakland, State Director of Civilian Protection, past director of the California League of Cities, chairman of the city attorney's section of the League, member of the American Bar Association and past president of the Lawyers Club of Alameda County, to the California Unemployment Insurance Appeals Board, for the term prescribed by law. Appointed August 27, 1943.

T. H. MUGFORD, resident of Sacramento, in State service since 1922, Department of Finance as Assistant Superintendent, Division of Budgets and Accounts, Board of Equalization as Sales Tax Administrator, member of the National Tax Association, to Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission, for the term at the pleasure of the Governor. Appointed September 23, 1943.

JAMES G. BRYANT, resident of Burlingame, Athletic Director for Schools, WPA and Social Welfare in Michigan, Regional Representative Bureau of Employment Security in Cleveland and San Francisco. Deputy Regional Director of War Manpower Commission in San Francisco, in charge of regional operations of U. S. Employment Service, to the Department of Employment, Chief of the Division of Public Employment, and member, California Employment Stabilization Commission, for the term ending at the pleasure of the Governor. Appointed September 23, 1943.

JAMES R. YOCKERS, resident of Los Angeles, in fire service 19 years, Deputy Fire Marshal, Lieutenant (Senior Grade) in U. S. N. R., released by Navy for this post, to State Fire Marshal, vice Jay W. Stevens, resigned, for the term ending at the pleasure of the Governor. Appointed May 24, 1943.

JULIAN ALCO, businessman, resident of the City and County of San Francisco, to the State Board of Prison Directors, vice self, term expired, for the term prescribed by law. Appointed January 15, 1944.

CHARLES M. WOLLENBERG, San Francisco welfare official, executive secretary in charge of camps, food and clothing for the Red Cross in connection with San Francisco fire disaster, past superintendent of San Francisco County Hospital and Home for the Aged and Infirm and the Laguna Honda Home, for 27 years. President of the Masonic Home for the aged at Decoto and of the Children's Home at Covina, director of the Red Cross in San Francisco and active in the State Department of Public Health, to the Director of Department of Social Welfare, vice Martha A. Chickering, for the term ending at the pleasure of the Governor. Appointed November 1, 1943.

KARL W. HOLTON, resident of Los Angeles, Probation Officer for Los Angeles County, member of Youth Authority since its organization, to Youth Authority, vice self, term expired, for the term prescribed by law. Appointed October 1, 1943.

Respectfully,

EARL WARREN, Governor

Message read, and referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 5: By Senator Ward—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 4, 1943.

Request for Unanimous Consent

Senator Ward asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 4, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly
By H. F. LEWRIGHT, Assistant Clerk

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 7—Relative to the death of former Governor Friend W. Richardson.

Held at the desk.

Assembly Concurrent Resolution No. 6—Relative to Miss Eleanor Miller.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to Miss Eleanor Miller.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen,

Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to have the following remarks by Assemblyman Nelson S. Dilworth, regarding the death of Miss Eleanor Miller, printed in the Journal:

Remarks by Assemblyman Nelson S. Dilworth

A score of years is a long time in anyone's life. It is a long time in the history of a young and growing State. It is given to few Legislators to serve for two decades in the lawmaking chambers of any State.

Only one woman has been so honored by her fellow citizens and it has been the great privilege of this Assembly from 1922 to 1942 to be graced by the presence of the late Honorable Eleanor Miller.

On the nineteenth of December, last, it pleased Almighty God in His providence to call her home from her labors on earth. No Member of this Assembly was more highly esteemed by its membership, no member was ever more faithful in attendance upon her duties. No matter how long the hours, no matter how great the strain, her gentle presence was always here and her persuasive words of wisdom kindly given for the benefit of us all.

The late Honorable Eleanor Miller was most generous with her time and talents for the benefit of her home city of Pasadena and for the State of California. Thousands are mourning the passing of a dear friend and counselor. To me, as a newcomer in this Assembly eight years ago, she was a never-failing source of dependable information and guidance. No member was more helpful. When a guest in our home, she was never too busy to pay attention to my children's questions. The youth of California have lost a true friend and a powerful advocate in Eleanor Miller. No cause was dearer to her heart than the care and welfare of crippled children or orphans.

Her eloquent voice was often raised in this chamber in behalf of her sisters, the women of California. Many just and wise statutes of this State are the work of her legislative career in behalf of the members of her sex. The establishment of care and services for the weak and erring was the fruit of her toil and the measure of her spirit of forgiveness. The segregation of women prisoners in a separate institution for their rehabilitation directed by a separate board of women is a monument to her unremitting zeal for the welfare of the erring women of our State.

An author of note, active in civic affairs of her home city, a faithful teacher and leader in her church, her loss is irreparable to our State.

No longer will her persuasive words fall on our ears, but the inspiration of her memory will linger with each of us through the years to encourage us to noble, kindly deeds.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Joint Resolution No. 2: By Senator Dorsey—Relative to increase of price of crude petroleum.

Request for Unanimous Consent

Senator Dorsey asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 2, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 2

Senate Joint Resolution No. 2—Relative to increase of price of crude petroleum.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel,

Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Swan, Swing, Tenney, and Ward—30.
NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Joint Resolution No. 3: By Senators Crittenden, Hatfield, Luckey, and McCormack—Relative to memorializing Congress to enact legislation to make possible the 1944 Sugar Beet Program recently announced by the Federal War Food Administration.

Request for Unanimous Consent

Senator Crittenden asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 3, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3

Senate Joint Resolution No. 3—Relative to memorializing Congress to enact legislation to make possible the 1944 Sugar Beet Program recently announced by the Federal War Food Administration.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, and Tickle—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1

Senate Joint Resolution No. 1—Relative to memorializing the Bureau of Reclamation, Secretary of Interior, and Secretary of War to take immediate action to protect Needles, California, and vicinity, from further damage and dangers resulting from the filling in of the Colorado River bed and the rise of the river since the completion of Federal Projects upon that river.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, and Tickle—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Constitutional Amendment No. 2: By Senators Collier, DeLap, Dillinger, Mayo, Rich, Swing, Parkman, Tickle, Breed, McCormack, Tenney, Ward, Quinn, and Seawell—Relative to revenue and taxation.

Referred to Committee on Revenue and Taxation.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted, unanimous consent to have the following opinion of the Legislative Counsel, printed in the Journal.

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO (2), CALIFORNIA, January 27, 1944

Honorable Jerrold L. Seawell

Senate Chamber, State Capitol, Sacramento, California

CREATION OF INTERIM COMMITTEE AT A SPECIAL SESSION—No. 281

DEAR SENATOR SEAWELL: It is my opinion that the Legislature can not at the special session called to convene January 27, 1944, effectively create an Interim Committee to Investigate the Silk Industry.

In 1939, our Supreme Court held that it required an act of legislation to create a committee with power to act after final adjournment (*Special Assembly Int. Com. vs. Southard*, 13 Cal. (2d) 497; *Swing vs. Riley*, 13 Cal. (2d) 513).

In 1940, Section 37 was added to Article IV of the Constitution conferring the power to create such a committee by resolution. Such a resolution, in my opinion, is an act of legislation and under Section 9 of Article V of the Constitution would have to be on a subject specified in the Proclamation convening the Legislature to meet in special session. I find in the Proclamation convening the Legislature to meet January 27, 1944, no subject specified that would cover or include investigation of the silk industry.

In this connection, I would call to your attention the fact that the Assembly at the 1943 Session, by House Resolution No. 137 (Assembly Journal for 1943 at p. 1113), passed a resolution for such an investigation. However, that resolution, as finally adopted, created no committee but did urge "the Governor, the Assembly Interim Committee, and only those State agencies that have jurisdiction over such an industry," to initiate such an investigation as soon as possible.

Yours very truly,

FRED B. WOOD, Legislative Counsel

REPORTS OF STANDING COMMITTEES**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, January 27, 1944

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 1

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

Committee membership 11; committee vote: Ayes 10; noes 1.

SWING, Chairman

SECOND READING OF SENATE BILLS

Senate Bill No. 1—An act providing for the reorganization of the State criminal, penal and correctional system, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3301, and 3325 of and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code, amending Section 7501 of and adding Section 7053 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 27 of the title of the printed bill, after "3301," insert "3305".

Amendment No. 2

On page 2, line 2 of the title of the printed bill, strike out "Sections 11100 and 11101", and insert "Section 11100".

Amendment No. 3

On page 2, lines 6 and 7 of the title of the printed bill, strike out "adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391;"

Amendment No. 4

On page 4 of the printed bill, strike out line 9, and insert "Council."

Amendment No. 5

On page 4, line 23, of the printed bill, strike out "The"; and strike out all of lines 24 to 27, inclusive.

Amendment No. 6

On page 4 of the printed bill, between lines 30 and 31, insert "5059. This title shall not affect the powers or jurisdiction of the Department of Public Works as to road camps pursuant to Article 4, Chapter 5, Title 1, Part 3 of this code."

Amendment No. 7

On page 6, lines 38 and 39, of the printed bill, strike out "the director, who shall be the chairman,".

Amendment No. 8

On page 6, line 40, of the printed bill, strike out "two", and insert "three".

Amendment No. 9

On page 6, line 42, of the printed bill, after "women", insert "The director shall be ex officio member of the board but shall not be entitled to vote."

Amendment No. 10

On page 10 of the printed bill, between lines 27 and 28, insert

"SEC. 125. Section 3305 of the Penal Code is amended to read:

3305. The trustees shall be entitled to their reasonable expenses, including traveling expenses, incurred in the discharge of their duties.

In addition they shall be entitled to a per diem of twenty-five dollars (\$25) per day for not to exceed ten (10) days in any month for attendance upon meetings of the trustees or the Board of Corrections."

Amendment No. 11

On page 11 of the printed bill, strike out lines 7 and 8, and insert "State Government. Each constituent unit of the department shall be free and independent of the other units."

Amendment No. 12

On page 11, lines 11 and 12, of the printed bill, strike out "The Attorney General shall be the head of the department."

Amendment No. 13

On page 11 of the printed bill, strike out lines 26 to 44, inclusive.

Amendment No. 14

On page 16, line 22, of the printed bill, after "transferred", insert "and retransferred".

Amendment No. 15

On page 16, line 28, of the printed bill, strike out "Finance", and insert "Corrections".

Amendment No. 16

On page 16, line 36, of the printed bill, strike out "Finance", and insert "Corrections".

Amendment No. 17

On page 16, line 37, of the printed bill, strike out "upon the order of the State Board of Control,".

Amendments read.

Request for Unanimous Consent

Senator Swing asked for, and was granted, unanimous consent to have Amendments Nos. 2, 3, 11, 12, and 13 withdrawn.

Amendments Nos. 1, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, and 17 adopted.

Bill ordered printed, engrossed, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Senator Tickle:

Senate Resolution No. 11

WHEREAS, The Legislature, through the enactment of Chapter 2 of the Fifty-fifth Session, repealed those sections of the Political Code establishing the salaries of officers and employees of the Legislature and provided that such salaries should be fixed by resolutions of the respective houses; and

WHEREAS, No resolution has been adopted fixing the salaries of the Secretary, Sergeant-at-Arms, Chaplain, or Minute Clerk of the Senate; now, therefore, be it

Resolved. That the following schedule is hereby established as the salaries of the following Senate officers for this Fifty-fifth (Third Extraordinary) Session of the California Legislature, payable weekly, seven days per week:

Secretary	\$10 00 per day
Sergeant-at-Arms	8 00 per day
Chaplain	4 00 per day
Minute Clerk	9 00 per day

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—32.

NOES—None.

ADJOURNMENT

At 1.09 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Saturday, January 29, 1944, out of respect to the memory of Miss Eleanor Miller.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

THIRD LEGISLATIVE DAY
THIRD CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Saturday, January 29, 1944

The Senate met at 10.30 a. m.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Richard C. Dwyer.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cunningham, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Elizabeth Miller, Deputy State Attorney General, formerly of Corcoran.

On request of Senator Swan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Delbert Keith Harter, Instructor, and the following students of the Grant Union Junior College: Beverly Bristow, Given DeMerritt, Margaret Murdock, Barbara Moore and June Anderson, Mardelle Harter of Del Paso Heights; and Ed. I. Cook, Dean of Sacramento Junior College, Sacramento.

On request of Senator Dorsey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Teresa M. Kimberle, 57 Unger Avenue, Buffalo, New York; Elizabeth M. Nickles, 38 Elizabeth Street, Albany, New York; Barbara E. Sullivan, 15 Muller Avenue, Cambridge, Massachusetts; and Mary E. Connally, 345 Livingston Avenue, Albany, New York.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Otto Wallenstein, Hsa Wallenstein, Hon. Clarence Morris, Municipal Judge; James J. Shelley, and Private Ted Hudson, U. S. A., all of San Francisco.

COMMUNICATIONS

The following communications were received, read, and ordered printed in the Journal:

(COPY)

ASSEMBLY, CALIFORNIA LEGISLATURE, January 28, 1944

*Honorable Frederick F. Houser, President of the Senate
Senate Chamber, Sacramento (14), California*

DEAR GOVERNOR: May I invite your attention to the opinion of the Legislative Counsel which is printed in the Assembly Journal of January 27, 1944, at pages 10 and 11, concerning the possibilities of giving legislative bills a name which would identify them as being sponsored by both an Assemblyman and a Senator.

I have appointed a committee consisting of Assemblymen Sam L. Collins, Alfred W. Robertson, and Charles M. Weber to further study this question. I am sure the Assembly Committee would be pleased to confer with a like committee from the Senate if such a committee were appointed.

With best and kindest wishes, I am

Respectfully yours,

CHARLES W. LYON

Above communication referred to Committee on Rules.

LOS ANGELES, CALIFORNIA, January 27, 1944

*Honorable Fred Houser, Lieutenant Governor, and
Member of the California State Senate
State Capitol*

Today is California's hour of destiny. You, the elected representative of her people, can meet the National challenge for that great American leadership needed in this hour. To the demand that arises from 48 States reply "Here, take the man of California we have found incomparable, Governor Earl Warren." You, his co-workers, with whose aid he has worked the California miracle within 12 months, may say "We will lend you, for a period of National service, this illustrious native son of California who has opened a new era in this Golden State, that he may work a new miracle of understanding and cooperation for America." As a veteran, the Governor's call of today is evidence of his ever mindfulness of the interest of our National defenders. His recommendation for prison reorganization and reform is of National moment. The unexcelled Warren qualities of leadership, his executive acumen, will be needed by America. What an imprint has already been made upon the Country by Governor Warren's State of record accomplishments. You, who share with him the credit for these accomplishments, can best recount them to a responsive Nation. You can exult in recommendation of a leader who has redeemed the State from a destructive partisan of bitterness, restoring it to constructive cooperation, and to unity unrivaled. Although a former Member of California Legislative Body, I offer this appeal expressive merely of the sentiments of an average American citizen of long residence in this Commonwealth. Give California the preeminence our beloved State merits. Grant California the honor of offering to America a priceless inspiring leadership. Indorse the record of Governor Earl Warren by resolution that will commend him to the Nation and to his party convention as the builder of confidence, of character, and of faith in our American institutions so vitally needed both in the defense and in the preservation of our Country.

Yours for California and for America.

FREDERICK M. ROBERTS

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Concurrent Resolution No. 8—Relative to Henry E. Carter.

Without reference to committee.

Assembly Concurrent Resolution No. 1—Relative to the death of H. S. G. McCartney.

Without reference to committee.

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Monterey, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of May, 1943.

Without reference to committee.

Assembly Concurrent Resolution No. 3—Approving amendments to the charter of the City of Santa Monica, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of December, 1943.

Without reference to committee.

MOTION TO PRINT IN JOURNAL

Senator Donnelly moved that the Partial Report of the Interim Fact-Finding Committee on Japanese Resettlement, be printed in the Journal.

Motion carried.

Partial Report of Fact-Finding Committee on Japanese Resettlement

January 27, 1944

To the President and Members of the State Senate of California

Your committee, appointed and authorized by Senate Resolution No. 122 to investigate the question of Japanese resettlement, involving the relocation of Japanese internees and evacuees in the State of California, and empowered to make representations and recommendations to the Federal Government as advisable on any matter relating to the subject of its investigation during such times as the Legislature might not be in session, makes this, its preliminary and partial report:

Your committee has held meetings and hearings at Modesto, Turlock, Merced, Watsonville, Salinas, Madera, Fresno, Los Angeles, Tule Lake, and San Francisco and has investigated the subjects of Japanese language schools, dual citizenship, Alien Land Law violations, and the relocation of Japanese during and after the war.

At the conclusion of the Turlock meeting, your committee adopted the following resolution on June 17, 1943:

Representations and Recommendations of California State Senate Fact-Finding Committee on Japanese Resettlement

WHEREAS, The California State Senate on May 2, 1943, adopted Senate Resolution No. 122 relative to appointment of a Senate Fact-Finding Committee on Japanese Resettlement under which the Members of the State Senate whose names are attached to this resolution were regularly appointed as members of such committee, and

WHEREAS, Under the terms of said resolution this committee is empowered to make representations and recommendations to the Federal Government as it may be advisable on any subject relating to the subjects of its investigation during such times as the Legislature may not be in session, and

WHEREAS, The committee has held meetings whereat many witnesses have testified before the committee and evidence has been introduced relative to the subject under investigation from which this committee has formed definite conclusions which impel the committee to forward to the Federal Government the result of such investigation and its conclusions therefrom, in so far as such investigation pertains particularly to the inadvisability of allowing the return to the Pacific Coast area of any Japanese during the period of the war with Japan, and

WHEREAS, We find from such evidence the following facts to be true:

(1) The return of any Japanese, alien and native born, to the Pacific Coast area would be dangerous to our military safety because (a) there is no test by which the loyalty to our Government can be determined in the case of any individual Japanese; (b) to permit Japanese to return enables the infiltration of alien enemy Japanese who would be indistinguishable from such returned Japanese; (c) practically all alien born Japanese and a large percentage of American born Japanese residing in California prior to their evacuation gave their primary loyalty to the Japanese Government and to the purposes and practices of that government, and that the menace determined by the military authorities, enunciated by General John L. DeWitt, to our security because of the presence of these people in our midst that led to their concentration and evacuation would be recreated by their readmission into this Pacific Coast area;

(2) That within the last few months there has grown among our people such a strong antagonism to all Japanese because of the treachery, barbarities, and inhumanities practiced by Japanese soldiers that to permit the return of any Japanese to this area will undoubtedly result in riots and breaches of the peace;

(3) That the drains upon the manpower of our police forces have been so heavy and the extra burden caused by the war upon our under-manned police forces that they will be greatly handicapped in the added work of maintaining law and order and guarding against sabotage and espionage that would result from the reintroduction of any Japanese in the Pacific Coast area during the period of this war;

Therefore, be it resolved: (1) That this committee is unalterably opposed to the reintroduction of any Japanese into the Pacific Coast area; (2) that this committee strongly recommends to the Federal Government that all Japanese now in relocation centers be retained therein until the termination of the war; Be it further

Resolved, That copies of this resolution be forwarded to each member of the California Delegation in both houses of the Congress of the United States, and to D. S. Meyer, Director of War Relocation Authority, Washington, D. C.

SENATOR HUGH P. DONNELLY, Chairman
SENATOR HERBERT W. SLATER
SENATOR IRWIN T. QUINN
SENATOR GEORGE J. HATFIELD
SENATOR JESS R. DORSEY

After the conclusion of the Tullake hearing your committee formulated, and transmitted to the President and the California Delegation in the Congress of the United States, the following report:

Report of the California State Senate Fact-Finding Committee on Japanese Resettlement Involving Relocation of Japanese Internees and Evacuees in the State of California, and the Conditions Found at Tullake Segregation Camp, and Recommendations Pertaining Thereto

This committee has been, since June of 1943, holding meetings in various places in California, studying the Japanese problem. Japanese, including alien and American born, were evacuated from certain military zones to concentration camps by the Commanding General of the Western Defense Command. Something over 112,000 such persons were evacuated from the Pacific Coast States. From our various hearings, which were held in the State of California, a large portion of these Japanese, alien and nonalien, had religious, ideological and family ties with the enemy which had been developed and strengthened by the activity of numerous pro-Japanese organizations. A considerable number of Japanese-American citizens had been sent to Japan where they had been indoctrinated in Japanese philosophy of life and government, from which it is apparent that alien Japanese control the business of the Japanese communities and the activities of the various Japanese organizations. It is the opinion of this committee that, as the war in the Pacific continues, the Pacific Coast

will play a greater part in the manufacture and shipping of necessary materials of war to the Pacific Area, and that the danger from sabotage and espionage has been by no means eliminated; that we must continue to be ever vigilant.

That since the evacuation of the Japanese, serious questions of policy in the administration and the handling of the evacuees in the various camps have arisen.

With this background your committee was called upon to investigate the situation that developed at Tulelake and in that investigation the question uppermost was the policy and manner of handling of these Japanese internees, and particularly the camps in Tulelake in the State of California.

This committee spent five days in investigating and holding hearings at Tulelake and in the Tulelake Segregation Center. Many witnesses, including employees, former employees of this center, and citizens residing outside the center were examined, and also including the Project Director, and the Western Regional Director.

The evidence introduced before this committee brought forth the following facts as to the Tulelake situation:

1. That, in August of 1943, a segregation of the disloyal Japanese from the supposedly loyal Japanese was put into effect; that many of the so-called loyal were taken out of Tulelake and sent elsewhere; and that the known disloyal Japanese from the centers throughout the Nation were concentrated at Tulelake, with the result that on or about November 1, 1943, there was in the camp approximately 16,000 such Japanese.

2. That the testimony shows and this committee finds, as a fact, that there were in the center Japanese subversive organizations.

3. Beginning with the segregation and prior thereto, the Japanese internees commenced a series of demands, refusal to work, demonstrations, and riots.

4. The Japanese internees were being given sufficient and wholesome food, the food being supplied by the Army Quartermaster Corps from the same source which our uniformed forces are being fed; that in addition thereto, they were supplied vegetables and other balanced diet obtained in the community.

5. Their living conditions were satisfactory and ample.

6. They were provided with sufficient entertainment and recreational facilities.

7. They were provided with adequate hospitalization and competent physicians and nurses.

8. The administration of the camp afforded opportunities for work for which they were paid, in addition to their accommodations, such work being farming and construction, handling supplies and the raising and slaughtering of meat and other camp activities.

9. The committee believes that most of these continued demands, refusals to work, and requests that were made upon the WRA authorities in charge were not warranted by the facts, but were made a part of a definite plan of the disloyal Japanese in the center to dominate the center and the authorities in charge.

10. That the policy of handling the situation and the camp was that of conciliation, of granting one request after another, and that as soon as one request was granted there were always further demands made. There was no end to it. The administration of the camp lacked firmness and was utterly void of any definite policy. The Director of Tulelake, R. Best, admitted on the stand that no definite policy was given to him by any higher authority to handle this camp, composed of known disloyal Japanese, any differently than so-called loyal Japanese centers or camps.

11. That under the plan that was followed in the administration of the Tulelake Center, no order or directive could be given to any internee. He could simply be requested to cooperate through a Japanese spokesman.

12. That there was a total lack of any adequate internal security under the WRA administration; that to handle a camp of approximately 16,000, mostly disloyal Japanese, there was only a police force of seven men, none of whom was permitted to carry weapons. That there was no protection by a proper man-proof fence between the living quarters of the Caucasian personnel or the administration center and the Japanese colony up to the time of the military taking control, and that the Japanese had free access at all times to the areas occupied by the Caucasian personnel, the administration building, warehouses, and garages, and were constantly found in these places.

13. That such Japanese were continually using toward the Caucasian personnel, vile, obscene, and indecent language, complaints of which were continually made by the personnel to the superiors without any apparent attempt upon the part of such superiors to correct such abuse.

14. That among the Caucasian personnel were certain employees who, as shown by testimony, advised the Japanese internees that if they continually made demands and applied pressure, they could get anything they wanted.

15. That the Japanese internees were organized under the leadership of known hostile segregationists who staged a number of anti-American demonstrations such as the celebration of the emperor's birthday and the birthday of the grandfather of the

emperor at which celebrations the Japanese flag was prominently displayed and at which celebrations they made obeisance to the Emperor of Japan.

16. That thousands of knives were stolen or made; that great quantities of meat were wantonly destroyed; that hundreds of acres of vegetables were lost or destroyed because of the refusal of the internees to harvest them, the contention being that the harvesting of such crops would help augment the American food supply. Various articles of much value were constantly being stolen, or disappeared; great damage was done to the fire alarm system; and equipment such as farm equipment and trucks were maliciously damaged and destroyed; that the administrative heads of the various departments were not given any support in controlling or handling the affairs of their departments, and were given to understand that they would have to get along with the Japanese as best they could or somebody else would be found to do the job.

17. That on November 1, 1943, National Director Dillon Myers of the WRA visited Tulelake Center. While he was in the camp, at the noon meal, it was announced in all the Japanese dining rooms that they would be addressed by Mr. Myers at the administration building. This was not a fact, as Mr. Myers had not agreed to address them or to meet with them, although it had been agreed that Mr. Myers would meet with the Japanese on Tuesday afternoon. Notwithstanding, the Japanese internees, estimated from 4,000 to 8,000, gathered around the administration building at approximately 1:15 p.m., surrounding it upon all sides. Many of them were seen to be carrying under their arms cardboard boxes afterwards found to be filled with straw, saturated with oil. Sacks of straw, saturated with oil, were placed about the building. Some Japanese were seen carrying large knives or daggers. At that time, many of the white personnel were in the administration building; others were escorted there by Japanese, and when they protested they were forced into the building. Violent and obscene language was used in the hearing of women and children, and Japanese guarded all the doors and all the approaches, allowed no one to leave the building, and some that did attempt to leave were pushed back into the building. The Japanese brought with them a loud speaker system which they set up in the administration building so that they could talk to the Japanese surrounding the building. It was estimated that there were about 150 of the white personnel surrounded in this administration building. On the outside, Japanese guards were placed around the barracks where the women and other Caucasian personnel were living and were not permitted to leave. Japanese guards were stationed on the top of buildings; they took possession of the trucks; they removed the caps from the gasoline tanks, poured oil around the floors of the garages and the automobiles owned by the white personnel and the Government. At the beginning, a committee of 17 Japanese came into the administration building, went into the office of Mr. Best, where National Director Myers and Regional Director Cozzens and others were thus imprisoned. A Japanese, by name, Kuratomi, was the spokesman. He was a Japanese born in San Diego, California. The Japanese called in from the mob outside three Japanese reporters to take down the proceedings of the meeting, and Mr. Best called in two Caucasian secretaries. Through Kuratomi these demands were made. We quote from the official stenographic report of the proceedings, a copy of which is attached hereto as Exhibit A, taken by Mr. Best's secretaries, as follows:

KURATOMI: We have been asked to bring up their grievances, requests and demands to you (I don't know whether you would like the word "demand" but nevertheless that is the word that has been used to us personally) so that you may be able to get an over-all picture of how ill administered this center is. This has been directed to Mr. Myer. * * * Among other things we want to ask you today that we be treated humanely from this Government, this Government of the United States. If the administration should continue to treat us as it has been in the past, it is the feeling of the residents that we can report the whole affair to the Japanese Government through the Spanish Counsel. * * * Now the question is what was the reason for terminating the entire farm workers without advance notice?

BEST: You want that answered now?

KURATOMI: Sure.

BEST: You were given every notice that if you did not go to work we would have to dispose of the crop. Your committee sitting in this room stated that you were not interested in harvesting this crop. Isn't that right?

KURATOMI: That is true. * * *

I think that everybody agrees that the Caucasian staff does not understand the Japanese. All these representatives here would agree to the statement right now that this whole incident started from the fact that the Administrative personnel, as a whole, do not know the psychology of Japanese people, that is you mention these things more or less from the standpoint of laws, rules and regulations of the WRA or any other agency. We desire to transmit your interpretations or your answer to the people and I am sure that the people will not be satisfied with your answers because that is something a little different as far as psychology is concerned. I for one know that if we are to make such a report as this to the people outside, we as a committee, cannot very well guarantee what the reaction might be of the people waiting

outside. I want you to give me an answer to this question in regard to the farm situation that I can transmit to the people outside. * * * Therefore, as soon as this conference with you gentlemen is completed we will make a report to the public to that effect. * * * Then the people here—I want you to get this straight, Mr. Best—the people here in this Center were notified of the conference we had with you and an announcement came out the very following day. The people want that statement retracted. * * * I assure you that I am trying to make you understand what I am talking about because it carries very heavy weight. * * * This is not a complaint. We don't get anywhere with complaints. Consequently, it is turning into demands. The people want the immediate removal of all the Caucasian doctors and nurses and we want a definite answer today. * * * Let me say this, Mr. Myer, I don't want to see any violence, however, unless you don't remove these people I have mentioned from the hospital until such a time as an investigation has been held I cannot guarantee the actions of the people. This is not a threat. I cannot stop these people from swarming over to the hospital and getting after the doctors. I don't want to see any violence take place but I cannot guarantee what the people will do if we have to give them this answer.

Threats and demands were made as shown by the above excerpts from the testimony taken during the discussion between Mr. Myers, Mr. Best, and Mr. Cozzens with the Japanese committee headed by Kuratomi. This evidence shows that some twenty demands were made, such as: All control of hospital to be taken over by Japanese, and Caucasian doctors and nurses discharged; better food; uniform porches on barracks; bathrooms, better latrines and service; dust control of the roads; Federal meat inspectors; demands for more buckets, brooms, mops; more closets; six ambulances to be in operation; the center administration to recognize a control organization or committee of the Japanese, and to recognize various Japanese committees; unemployment compensation to be made available to all Japanese workers out of employment; demand for the removal of Mr. Best, Mr. Zimmer, Mr. Schmidt, Mr. Kallam, Mr. Peck, Mr. Kirkham, all administrative heads.

All these people were imprisoned in the administration building from approximately 1.15 p.m. to 5.15 p.m., during which time Mr. Dillon Myers, National Director; Mr. Cozzens, Regional Director; and Mr. Ray Best, Project Director; and all of the white personnel of said camp were the prisoners and under the absolute control of the Japanese. Upon the breaking up of the demonstration, the concluding speaker over the loud speaker system was a Shinto priest who requested that the Japanese surrounding the building show their allegiance to the Japanese Emperor by the usual custom of removing their hats, turning to the East and bowing three times. This was done.

Contrary to the order issued by Director Best, forbidding the Japanese to ever assemble on administration grounds following the demonstration on Monday, November 1st, on Thursday evening, November 4th, several hundred Japanese armed with clubs commenced to congregate in small groups about the Caucasian personnel living quarters of the administrative section where acts of violence were committed; and Internal Security Officer, Edward H. Borbeck was severely beaten and was found in an unconscious condition. They surrounded Best's home and had a truck in which to remove him, and threatened his life, and thereupon Best called in the Military. Shots were fired, and the Japanese driven back into the colony by the Military.

18. The evidence shows that following the demonstration last mentioned, Director Best called a meeting of the personnel and said to them:

From here on out all information about what took place in WRA will come from the Army. I don't want any of you to go out and talk. I hope you are wise enough to accept this warning.

From the foregoing facts, this committee decides and determines, and reiterates its former findings, that the Military should be retained in full control and operation of said camp at the Tullake Center in California.

Our committee believes that it is because of the lack of any definite policy of the WRA and the continual unnecessary appeasement of the Japanese internees that the condition at Tullake Center developed; that if a definite policy of firmness had been understood both by the Japanese and the administrative officers from the beginning, this condition would never have developed. It is our firm belief that if the Army had been administering the affairs of the center, and doing the police work, these demonstrations and incidents would not have occurred. We find that the Japanese in the Tullake Center have been treated with kindness, fairness, and with utmost consideration, despite their disloyalty and acts of sabotage and thievery; we believe that if the Army were in control of the center, doing the work assigned to the Internal Security Officers, the Army would be in a position to prevent the occurrences that have taken place at Tullake and at the same time permit the treatment of the internees with the same fairness, humane consideration and tolerance indicative of the American way of life.

This committee further reiterates and finds, that no Japanese evacuee should be permitted to return to California during the war; that the policy and plan stated

by the National Director, Mr. Myers, of removing these evacuees from the camps throughout the Nation and distributing them in California on the Coastal Area should not be countenanced.

That in pursuance of the sentiment expressed in the preceding paragraph, this committee, on December 11, 1943, forwarded to the President, to the Secretary of War, and to the Chairman of the California Delegation in Congress, the following telegram. We quote:

*To Honorable Franklin D. Roosevelt, President of the United States
Honorable Henry L. Stimson, Secretary of War
Honorable Clarence F. Lea, Chairman of the California Delegation in Congress
House Office Building, Washington, D. C.*

Washington dispatches published here today that Army has already permitted the movement of Japanese back to West Coast and some Japanese reported already here, and that the Western Defense Command has adopted a policy of permitting Japanese evacuees to return to this Area in opposition to the often-expressed convictions of the overwhelming majority of the People of California that no Japanese should be allowed on the Pacific Coast during the continuance of the War.

The California State Senate Fact-Finding Committee on Japanese Resettlement in session in San Francisco unanimously and vigorously protests such action and policies. After several months of investigation throughout California, and the holding of numerous hearings, this Committee fears and knows that the relocation in this State of the Japanese during the War will inevitably lead to violence and bloodshed, thus creating an excuse for the mistreatment of American civilian and military prisoners in Japan, many of whom are citizens of this State. Furthermore, because of the extreme difficulty, if not impossibility of determining the loyalty of any Japanese, foreign or native born, we believe that such action would further the dangers of sabotage and espionage, endangering the security of a vital and important military area on the Pacific Coast. Peace officers of California in every hearing have strongly urged that Japanese be not permitted in California during the War period. We urge that you do all in your power to prevent any such unfortunate and disastrous action or policy as that indicated by the Washington dispatch.

**CALIFORNIA STATE SENATE FACT-FINDING COMMITTEE
ON JAPANESE RESETTLEMENT**

SENATOR HUGH P. DONNELLY, Chairman
SENATOR HERBERT W. SLATER
SENATOR IRWIN T. QUINN
SENATOR GEORGE J. HATFIELD
SENATOR JESS R. DORSEY

We believe that the retention by the Army of the control and operation of the Tullake Relocation Center will prevent a recurrence of such outbreaks as shown by the testimony taken by this committee.

Respectfully submitted this 11th day of December.

**CALIFORNIA STATE SENATE FACT-FINDING
COMMITTEE ON JAPANESE RESETTLEMENT**

SENATOR HUGH P. DONNELLY, Chairman
SENATOR HERBERT W. SLATER
SENATOR IRWIN T. QUINN
SENATOR GEORGE J. HATFIELD
SENATOR JESS R. DORSEY

Your committee will report further at a subsequent time.

Respectfully submitted.

SENATOR HUGH P. DONNELLY, Chairman
SENATOR HERBERT W. SLATER
SENATOR IRWIN T. QUINN
SENATOR GEORGE J. HATFIELD
SENATOR JESS R. DORSEY

Exhibit A

Conference With Evacuees Tullake Center 11/1/43

The following took place while the committee was assembling for a meeting in Mr. Best's office at 1.30 p.m. November 1.

Mr. Best received a telephone call reporting the incident at the hospital.

MR. BEST: What is going on at the hospital, George?

KURATOMI: I don't know.

MR. BEST: They have beaten up Dr. Pedicord, they are tearing down property. Dr. Pedicord is badly beaten up and they are going from one ward to another destroying property.

KURATOMI: We will stop it.

MR. BEST: They have beaten up Dr. Pedicord. That will have to be stopped right away.

Committee sent some men over to hospital.

Conference With Evacuees, Tulelake Center, Newell, California

Meeting in Mr. Best's office at 1.30 p.m., November 1, 1943

Present:

Dillon S. Myer	Herbert Hoshiko	Shizuo Kai
R. B. Cozzens	Hijino Takada	Kaichi Yamamoto
R. R. Best	Isamu Sugimoto	Harry Nogawa
C. E. Zimmer	George Kuratomi	T. Inouye
S. Cahn	Mits Kimura	Isamu Ichida
Willard E. Schmidt	Matsunaka Nakao	Y. Kobayashi
M. Lucas (Reporter)	Satoshi Yoshiyama	Fred H. Mori
	Sonji Kodama	Ichiro Hayashi
	Maso Hatano	

KURATOMI: I would like to ask about the notes of the meeting we held the other day. Is that ready?

BEST: It will be ready. I have been away and Miss Lucas had a lot of work to do. Will get it as soon as it is prepared. Didn't you have a copy?

KURATOMI: Yes, but some questions were not answered and we are rather anxious to get it.

BEST: I told you that as soon as I got back I intended to meet with you and discuss every point in question, and we would go to work on that, which I will do.

KURATOMI: It is very unfortunate that it has come to this point. However, there are some things being brought up. The residents have asked that these be transmitted to you. Here are some of the things. First of all, we want you to know that we understand our position and status in here. We do not want to commit any riots or conduct ourselves in a disorderly manner. The people outside are here to express their dissatisfaction and anger about the Center administration.

BEST: Just on the whole or do you charge on some specific thing?

KURATOMI: I do not know if you can call it a charge. I will explain those things later. We have been asked to bring up their grievances, requests and demands to you (I don't know whether you would like the word "demand" but nevertheless that is the word that has been used to us personally) so that you may be able to get an over-all picture of how ill administered this center is. This has been directed to Mr. Myer.

BEST: I will appreciate it if you will direct everything to me. It is very unfortunate that Mr. Myer is visiting here during a time like this. I will appreciate it if you will direct everything to me and we will leave Mr. Myer out of it. I am here and I want you to put it all to me direct.

KURATOMI: I will be frank with you. I know how unfortunate it is that this had to happen when Mr. Myer was present. Why this came up today will be explained later. Among other things we want to ask you today that we be treated humanely from this Government, this Government of the United States. If the administration should continue to treat us as it has been in the past, it is the feeling of the residents that we can report the whole affair to the Japanese Government through the Spanish Counsel. These are not accusations or threats, they are facts to prove the things which we are bringing up now.

BEST: You will make specific charges, I presume.

KURATOMI: Yes, later. We believe the American democratic principles are at stake. The Congress of the United States should have an appropriation sufficient to care for the welfare and well being of the center residents. However, they have been insufficient and there have been mismanagements permitted by Caucasian personnel to greatly jeopardize the true intentions of the United States Government towards Japanese evacuees in the Center. If such conditions are allowed to continue to exist the democratic quality of the United States will be greatly injured. The Caucasian personnel at this Center, with few exceptions, are known to be hostile to Japanese evacuees. Mr. Best has failed to keep faith with us. He has failed us within two days after promising to cooperate with us for the improvement of the center living conditions. By his deed and acts he has lost complete faith with the center residents. What Mr. Best says today is not to be applied for tomorrow. His inhumane treatment can be best illustrated by one incident which occurred very recently at this Center. As all of us know, some 29 persons were injured in a recent auto mishap and the residents still feel that the WRA has been responsible for the accident. Mr. Best as Project Director seemed very indifferent. He showed no concern over the accident apparently because not once has he expressed his regrets. When Mr. Kashima died, as a result of the accident, the Center residents decided to make his funeral a center-wide affair. Mr. Best refused to grant the residents the use of the outdoor stage or the

auditorium, the reason being that Mrs. Kashima, widow of the deceased, did not wish such an affair. He refused to send a representative to the funeral for the same reason. When Mr. Ernst, project director at Topaz, can send a telegram of condolence, why couldn't Mr. Best do the same inasmuch as he is right here. If further verification is necessary we are prepared to call in Mrs. Kashima. Deplorable conditions at the hospital have caused the ire of the center residents. It is a wonder beyond our imagination how the residents of this center in the past let such conditions exist at the base hospital. The residents feel that the WRA should be held responsible for the ability and efficiency of the caucasian doctors and nurses sent to this Center.

BEST: They haven't stopped over at the hospital. Dr. Pedicord has been beaten very severely and is asking for military police. What would you boys do in a case like that.

KURATOMI: I don't know.

BEST: What would you think about it?

KURATOMI: Maybe if I read some more you can see some of the reasons.

MYER: I think we need to know about this now.

KURATOMI: Some of the reasons?

MYER: Not the reasons. We need to know who is going to be responsible for stopping this situation at the hospital right now.

KURATOMI: Some of the boys have gone over to stop it now. They came of their own accord. We didn't know they were going to do that. I think they will stop everything if we shall continue to talk this over.

MYER: No question of talking it over now. We can't sit here and let property be destroyed and Dr. Pedicord's life be jeopardized.

BEST: Something has got to be done right now.

KURATOMI: Shall we wait?

BEST: Yes, we will wait till it is stopped over there. That has got to stop.

KURATOMI: Will send some more boys over.

(waited for report from hospital)

KURATOMI: Here are some questions I would like to ask that were not answered in the last conference, namely: What would be the status of these Center residents by the American Government and by the Japanese Government from the interpretation of International Law? Then, there is a demand from the Center residents that this Center should be designated for all those persons who have intention of going back to Japan when the opportunity presents itself. Can you answer me those questions, Mr. Best?

BEST: Will you read those questions again, George?

KURATOMI: (Reread questions)

BEST: If you mean are you considered as prisoners of war, I can answer that. You are not prisoners of war.

KURATOMI: We are called "segregants." Is there any other name applicable to the status of the center residents other than the word "segregant"?

BEST: If there is I don't know it.

KURATOMI: Mr. Myer?

MYER: Evacuees. We simply called this Center the Tule Lake Center because it is not a relocation center. It is, as you know, for those people who want to return to Japan and other people who will not indicate full loyalty to the American Government. It is not an internment camp, such as the Department of Justice has jurisdiction over. It is not a prisoner of war camp. We expect, if it is agreeable to you people to carry on a peaceable operation at this center and carry out the same policies, insofar as they can apply, as in other relocation centers.

MYER: That is our intention if it is feasible. The events today indicate that we may have some difficulty in doing that.

KURATOMI: In regard to the second question. The residents would have this Center designated for all those who have intention of going back to Japan sooner or later. Would there be some solution to that?

MYER: Can't give you a final answer to that. It will have to be worked out on the basis of what is feasible from the standpoint of what is available in the way of a physical program to work that out. This is something that you and we, the WRA, have to work out. If it is not satisfactory we will look into it. I cannot make any commitment until the problem is studied more carefully.

KURATOMI: It is a possibility?

MYER: There is a possibility to anything that lies within the scope of my domain to decide. Nothing more than that.

KURATOMI: You wouldn't stay there is a possibility?

about future crops next year. He had to look ahead. He did that on the authority of the national director, I want you to know that. From the standpoint of public relations and from the standpoint of future needs we had to go ahead and get it done. That is all there is to say on it.

KURATOMI: At any rate, we here as a representative committee, feel that since this was brought up it has become a problem not only among the farmers but it has become a problem for the concern of every single individual on the Center. Therefore, as soon as this conference with you gentlemen is completed we will make a report to the public to that effect. However, are you prepared to meet the representatives from the packing shed and from the farm crew at a later date to discuss minor problems with them?

BEST: We will meet with any group, George, at any time and discuss any problems. I have assured you of that before.

(KuratomI to Kai in Japanese)
(Others in Japanese)

KURATOMI: It is the unanimous opinion of the representatives that if you are willing and prepared to make such an agreement or such arrangements with the farm group or packing shed crews at a later date to discuss minor problems with them that this will be worked out.

BEST: We discussed this with you the other day. I thought you understood it.

MYER: May I make another statement?

BEST: Surely, go ahead.

MYER: It is my understanding and I think I do understand the situation, George, that your committee discussed this with Mr. Best before and indicated that you did not want the crops harvested, that you did not want to raise vegetables to be shipped out and did not want anything shipped in. There is a food shortage and there are people dependent upon that crop. Mr. Best understood me and I understand Mr. Best. We took action to have the crop harvested. I want that made clear on the record.

KURATOMI: The people in the Center felt that they would harvest the crops necessary for this Center.

BEST: You said you didn't want the crop. You said no. Definitely no.

KURATOMI: If you will look back on the record you will find that we said this: The people of the Center are willing to harvest and raise a crop for this Center.

BEST: I said we would work with you to get a good agricultural committee to start working this winter so we would know what plans to make for next year. This is exactly what I said.

KURATOMI: Will you meet with the farm crew with the status that they are designated?

BEST: We will meet with them regardless of their status. Status doesn't mean anything to me. I will discuss any problem at any time with your group or any other group.

KURATOMI: Then the people here—I want you to get this straight, Mr. Best—the people here in this Center were notified of the conference we had with you and an announcement came out the very following day. The people want that statement retracted. It is not so much from the standpoint of money but the principle involved of having an announcement made the day following after we had such an agreeable conference with you. If the statement is retracted we could make a report to the people. If we make a report as it is now the people will not be satisfied. I don't expect you can understand that from a Japanese psychological standpoint. I assure you that I am trying to make you understand what I am talking about because it carries very heavy weight.

BEST: Can we speak frankly?

KURATOMI: Of course, Mr. Best. I am speaking frankly.

BEST: To use terms that I can understand, if I do not retract the statement you will lose face; if I do retract it, I will lose face. Is that it?

KURATOMI: I was not thinking about that necessarily. When we represent anybody, we talk for the people we represent. We have to work for the benefit and feeling of the people and we are thinking about them. What I want you to understand is that if you should agree to this about retracting this statement which came out the day you were not here, then the people's feeling would calm down. I want you to understand that feeling.

BEST: Wasn't that a true statement I put in the paper? That is what you are talking about, isn't it?

KURATOMI: The statement to the effect that farm workers were terminated as of October 19.

BEST: I didn't publish anything like that.

KURATOMI: It had your signature on it but it came out the day you were not here.

CAHN: He is talking about the statement regarding the badges.

BEST: Oh, I thought he was talking about something different.

CAHN: As a result of termination we asked them to turn in their badges by a certain date or pay 50¢ if they didn't turn them in.

MYER: May I ask a question? I am a little confused. It is not quite clear what statement it is that Mr. Best made that you would like to have retracted.

KURATOMI: The statement that came out about badges.

BEST: About badges? I don't know what you are talking about. I will have to see that.

MYER: May I make a suggestion? I certainly don't see any objection to holding that up until you have had a chance for negotiation.

BEST: That never came to me evidently. It probably was sent out by the payroll section or the employment office.

CAHN: The statement probably was not interpreted correctly. It has been the policy of the placement office since the beginning of this project to turn in the badges upon termination or pay 50¢. We were running close to the end of the payroll period and the termination slips had to be prepared and processed so we asked that the badges be turned in by a certain date or the 50¢ be paid.

KURATOMI: I think Mr. Myer has the right idea.

MYER: I want to make it clear. It doesn't make any change in policy if the badges are held until you have had a chance to meet with the farm committee.

KURATOMI: If you had talked with the committee and then put the notice out that would make sense. I don't know if you get my feeling. I am trying to explain it the best I can. The fact that the notice came out before the farm committee had a chance to talk with you angered the people. I am not talking for myself, I am talking for the people.

MYER: May I make another comment, I am sure Mr. Best understands and I understand that you felt you were representing the whole group, including the farm group.

KURATOMI: The farm workers felt that the problem was a little bit too big for them to decide so naturally they brought the problem to the center committee which was chosen from one person from each block. After the center committee discussed this with the residents they decided that they didn't want to harvest a crop beyond center consumption. Therefore we made that statement when we came over here. However, after the conference we had with you, Mr. Best, it was decided to turn the farm problem back to the subcommittee which represented the farm people to talk and discuss with you the minor problems as they came up. If they had talked with you before the notice came out it would have been no problem. If you could retract that statement until after the farm group talks with you there will be no problem.

BEST: We are not going to delay the payroll.

KURATOMI: That is the point I am trying to emphasize. I am trying to tell you what the Japanese psychology viewpoint is. Some minor things seem important to you. It is not the standpoint of money that they want the statement retracted but from the standpoint of principle.

BEST: I certainly have no objection to leaving the point on badges until after we talk the whole matter over.

KURATOMI: Termination date and badges?

MYER: The termination date is a very definite thing. I am sorry we can't do anything about that but we can hold off on the badges until the matter is talked over further.

KURATOMI: Here is the thing I want you to understand. We are not so much concerned about the pay. If the workers had been terminated on the 19th or 20th it would make no difference if the workers had talked with Mr. Best first and knew what the date was. The farm workers would have had knowledge of the procedure after the meeting so that they would not have felt so bad. That the announcement came before the farm committee talked to Mr. Best caused this problem from the farm crew. That is the point I am trying to emphasize; I am not telling you to change the date. It would be the 19th, 23rd, or 25th or anything for that matter.

MYER: Let me make this clear. We cannot put the people back on the payroll when there isn't any work to do at the moment. We can wait on the matter of badges until we have a chance to look at the problem together but I can't under our government procedure put people back on the payroll when they are not on the job.

KURATOMI: You don't understand. They don't want to be put back on the payroll when they aren't on the job. As long as they were terminated on the 19th that would be all right if they had known it before they were terminated. They don't care what date it was if they had known before.

MYER: That stands. I have already indicated that I think it perfectly all right to hold the badges and let this be the last phase of the story until we get a chance to talk to the farm committee.

KURATOMI: Then the statement will be retracted until after we have had a chance to talk it over.

COZZENS: It means that the badges will be held up but they will still be removed from the payroll as of the 19th.

MYER: It means just that, and they can't be put back.

KURATOMI: I am not talking about when they were terminated. My point is, as I said time and time again we are objecting from a Japanese psychological standpoint. If this announcement to the effect that they were to be terminated on the 19th were to be held up we don't care if they were terminated on the 20th or any other date. The only thing was that if the farm committee which was working on this case had a chance to talk with you and you named the date and then the notice came out after they met with you there would be no problem. I don't know if you get what I mean.

BEST: You can't do that on any employment. It is the practice to terminate people when they stop working in any business. You might not get to talk to a person for a long time after he quit working. It is a mechanical detail of employment. If a man never came to talk to you then they would be on the payroll forever. It just can't be done that way.

KURATOMI: Are you planning to continue such a practice in the future.

BEST: I am probably all mixed up on the point you are trying to make. But I will tell you this—we have a very established employment procedure, however, we are going—as I told you the other day—to have a better employment procedure. Mr. Cahn is very much interested in that and is working on that now. If there is anything in our present employment practices that doesn't meet with your approval, suggestions will be considered.

KURATOMI: That is not what I am talking about. It is the principle of it that is involved not the terminating procedure. I am talking about the principle.

MYER: When you are talking about the future is it as to whether the people will have an opportunity to talk to Mr. Best in the future before terminating.

KURATOMI: That is still another point. If the farm committee had met with Mr. Best and had understood that these workers were being terminated on the 19th there would be no problem. Instead of that when it came out these people didn't know anything about it. That is what I am trying to get at. I don't think you quite understand my point.

ZIMMER: Here is what George means. If this statement were retracted till the farm committee were to meet then you don't care what kind of a statement comes out, but to have it come out before the meeting they think advantage was taken of the committee. Is that the idea George?

KURATOMI: That is the point, yes. It is a very important point too.

BEST: There isn't anything very difficult about solving that problem in the future.

ZIMMER: Nothing difficult about solving it now. It stands whether it is retracted or not, but if that statement could be retracted until this committee met with Mr. Best and then came out it would be okay?

KURATOMI: That is the right idea.

BEST: No reason why it can't be done that way.

MYER: I want you to understand they will not be put back on the payroll.

KURATOMI: That is clear now.

WEBBER: Couldn't you put it to the effect that it was a misunderstanding.

CAHN: That is not so. It was not a misunderstanding. The regulations provide that persons are automatically terminated 5 days after they do not report for work. An additional day of penalty can be added for each day over that. The penalty was not given. The Project Director has the right to remove the prejudice if sufficient reason is given for not having worked.

MYER: Just say for the record that you will withhold the statement until after Mr. Best has had a conference with the committee.

CAHN: I just want it understood that it was not a misunderstanding. (received report from hospital at this point)

BEST: They are still having trouble at the hospital. What are you going to do about it?

MYER: Let us stop this discussion until that sort of thing is stopped. We can't go on under that kind of a situation.

(Mr. Schmidt and an evacuee go to check up on hospital situation)

(Reported under control)

KURATOMI: We are sorry about the interruptions.

BEST: How much longer are they going to carry on the demonstration outside.

KURATOMI: It is not a demonstration.

BEST: What would you call it?

KURATOMI: There has been no trouble at all. They are waiting for the answers to these questions.

(returned with report from hospital that situation under control)

MYER: Couldn't we move right along. My time is limited and we are going to have a lot of business to take care of.

KURATOMI: Are any Japanese persons, that is loyal Japanese persons, coming to harvest the crop here?

MYER: May I answer that? We are going to take care of the harvesting of the crop outside and I have no comment to make now. You folks did not want to do it so we arranged to have it done outside and I cannot make any comment. In view of the decision we will have to keep that as a separate issue. I am sorry.

KURATOMI: The last two nights there has been merchandise taken out of the warehouse from this Center. Do you know the reason?

BEST: We might take merchandise out any time. We are accountable for it and we can ship it out or we can ship it in any time we want to.

KURATOMI: We are interested in the merchandise taken out because of the fact that one mess hall couldn't receive their share of the goods that were to be distributed.

BEST: Let's get along. I will set down for the records that we will meet with any mess hall committee on those things. We haven't any records here and can't discuss those things at this time. If you want to get into details it takes time, George.

KURATOMI: We can't make such a report. They want a definite report and I doubt if that answer will do.

BEST: It is our property and we are accountable for that property. We can do what we want to with it.

KURATOMI: Because of the fact that some merchandise was taken out of this Center some mess halls suffered a shortage.

BEST: I would want to get into that thoroughly. I would want to find out exactly what was supposed to be delivered and was not and what mess halls were short. I want to know that.

KURATOMI: When you do find out what happened will you take proper action?

BEST: What would be proper action. Maybe I don't know what the proper action is. I certainly will see that all staple commodities as far as the Quartermaster can supply will be kept here. I will see that the mess department keeps those things in here and supplies them to the mess halls.

KURATOMI: I am not satisfied with your answer as yet. We have to make a definite statement as to why this food was taken out and why the mess halls suffered.

MYER: Mr. Best gave you his answer. I am sorry but there will be no report why the food was taken out. I don't feel that it is necessary to report every movement made. If you request an investigation regarding such a case and if it is proven that they were short, proper action will be taken. We will have to wait and see the results of an investigation. I am sorry to say we cannot be in position to report to the community on every movement of trucks. The residents are supposed to have food and if they don't get any investigations will be made. We don't have time to go into all those details now. Proper action will be taken as far as we can do that, George.

KURATOMI: There are incidents in the hospital too. Dr. Pedicord made two appendicitis patients wait until it was almost too late and this has happened in the last week's time. One person is suffering from meningitis. This man took some of the children out on a picnic some place and one of the children struck his eye with a stick. He couldn't bear the pain, consequently he went to the hospital and the caucasian doctor over there said it was nothing serious and no need for him to worry and for him to go on home. It pained so he insisted on being examined. It was of no avail. He had to pick one of the evacuee doctors over there to examine him but these doctors, as you know, are subordinate to the caucasian doctors and have very little authority, almost no authority in fact, and they have to get every little detail from the caucasians. The chief doctor tried to see if any case of meningitis was apparent but before he got to it they told him to stop such an examination so he went back and he still couldn't bear the pain. Then he came back to the hospital again, and the doctors do not know whether this man will survive. Another case here in the hospital. One mother went over there because she had a baby and the doctor, without taking proper precautions, gave her a couple of morphine injections. As a result the baby came out dead. It was a stillborn baby. There are many cases such as that to prove the inefficiency and indifference of caucasian doctors in this hospital. It was decided by the evacuee doctors in this center that if such doctors are to stay in this Center and more or less see people die from day to day they

cannot stand to see such a thing exist. So it was decided last night to ask the resignation of each and every caucasian doctor and each and every caucasian nurse who feel so superior that some of them believe they know more about medicine than the Japanese doctors who have had big practices and lots of responsibility. It has been said that some of the caucasian doctors employed here don't even have licenses to practice medicine. Dr. Pedicord allows only one ambulance to be in operation on Sunday for 18,000 people. He takes the keys to the other ambulances and has forbidden the ambulances to be driven. You must be aware of the complications which might arise from such an instance. We feel that the request and demands from the hospital evacuee staff to remove the caucasian doctors and nurses from the hospital should be done as soon as possible for the well being of the people in this Center.

MYER: Are you through?

KURATOMI: Yes.

MYER: In the very first place we are willing to have any suggestions that you folks have. You can sit down and talk it over with Mr. Best. As I told you before we can't operate on the basis of demands. We are willing to take criticisms from your group and check and investigate them and take action accordingly. We are always willing to have criticisms and suggestions but not demands.

KURATOMI: These are the criticisms by the evacuee nurses and doctors.

MYER: We will be very glad to check into it. In view of what has happened over at the hospital today it will have to be checked very thoroughly and will take some time. It will have to be checked and investigated.

KURATOMI: Whatever might have taken place over there and to Dr. Pedicord in particular might be justified, and some of the boys couldn't wait until the conference was over.

MYER: We are not going to argue about that now.

KURATOMI: We have a man here who can tell you what happened in his family.

FUKAHARA: I am Block Manager of Block 16. Sunday night at 7:00 o'clock I had a report from my sister-in-law requesting an ambulance because her child was burned with hot water. I rushed to the phone which is only 35 or 40 feet away and an ambulance came and he was taken directly to the hospital and given some kind of a treatment on the outside and bandaged and put in a room and left there until morning without being seen by another doctor and when questioned by the nurses about his welfare was told by a caucasian doctor, Dr. Marks, that it wasn't anything serious. A Japanese doctor was called in and there were four looking on when they injected plasma, or whatever it is called. They could find only one container of it, which is not sufficient to save a child. They worked desperately but he died this morning at 2:00 o'clock. If the burn was as serious as that why didn't the caucasian doctor take care of him between 7:15 at night until early in the morning when the Japanese doctors took over.

MYER: I am certainly sorry about the baby.

FUKAHARA: It should be the responsibility of the WRA or Dr. Pedicord to take full blame for what happened as far as I can see.

COMMITTEE: That's right.

MYER: We will go into the matter thoroughly. This case and any other case you may have will be investigated thoroughly. We can't do it in the face of demands. I think you folks are interested in having a peaceful center. The WRA is interested in giving it to you. But we can't operate on the basis of demands and scenes of the type we have here today. We just can't operate like that. Generally speaking, the record has been pretty good on medical service. We will go into that matter, however, just as soon as we can get to it. We can't go into it today. I am no judge of that particular type of thing. I will be glad to have all the facts and I am not going to make any commitment until I get them. A judge never makes a decision until he gets both sides.

KURATOMI: This is not a complaint. We don't get anywhere with complaints. Consequently, it is turning into demands. The people want the immediate removal of all the caucasian doctors and nurses and we want a definite answer today.

MYER: That is impossible because I have been on the project only 6 or 7 hours and haven't even had a chance to look around.

KURATOMI: Let me say this much. This has been a request from the evacuee doctors and nurses that you arrange to have all the caucasian doctors and nurses removed from this hospital for the reason that they don't want them and the people have the same feeling. Let me say this, Mr. Myer, I don't want to see any violence, however, unless you don't remove these people I have mentioned from the hospital until such a time as an investigation has been held I cannot guarantee the actions of the people. This is not a threat. I cannot stop these people from swarming over to the hospital and getting after the doctors. I don't want

to see any violence take place but I cannot guarantee what the people will do if we have to give them this answer.

MYER: I have never taken any action under threat or duress.

KURATOMI: It is not a threat, it is a fact. I am just explaining the actual tension.

MYER: I realize what exists. Someone is responsible for that. The people are pretty well whipped up. I am sure the tension would be much greater if I made concessions without going into the facts. I cannot make concessions without going into the facts of the matter. I am very sorry that is the situation. In view of what has happened at the hospital today I cannot take action until we investigate the matter. That is final.

KURATOMI: Do you want us to make the statement just as you said it.

MYER: You may state it as you wish. I hope you will give them the facts. Tell the people that I am here. I hope to go quietly about my work looking into the problems of the Center with the evacuees and the administrative staff. This is my first trip since the segregation movements started. The movements are not yet complete. We hope to get a completely representative group of the Tule Lake center to come up here to discuss their problems. You folks are serving in a temporary capacity until a truly representative committee has been chosen. On matters of immediate concern we will go into the matter. I am sorry but I will not make any commitments that require action or removal of any personnel without seeing the other side.

FUKAHARA: I don't belong on this committee. I am so grieved at the loss of my nephew that I wanted to speak to you so you can look into the matter. However, I am not being a party to any demands. I worked under Mr. Shirrell and Mr. Coverley and I don't want to make any trouble. I just wanted you to know the facts. I will be glad to be excused. I feel out of place here.

KURATOMI: Remember what I said. This is not my personal feeling or personal opinion. We are here to represent the people and so speak for the people and you might see this thing actually take place, I cannot say.

MYER: I don't think you or any member of this committee have any ulterior intentions and I certainly don't think you want anyone here asking me to make a commitment on ten minutes notice on a matter as grave as you have presented. I just couldn't do it.

KURATOMI: How soon can you make it.

MYER: I will give you an answer just as soon as I can. First I have to get the facts together. If I can find time while I am here I will, but I can't promise you that I can get all the facts together in that time.

KURATOMI: Let me ask then that these caucasian nurses and doctors refrain from coming into the hospital for the time being. This is not a demand but a reasonable request. I don't think it is going to hurt anybody. We are asking you to do this because we don't want any violence.

MYER: I am not ready to do that under the circumstances. I have to get all the information together and know all the facts. I am sorry I cannot commit myself now. We will go into the matter and give it further consideration.

KURATOMI: Mr. Peck who is the head of Mess Management in this Center is responsible for making allotments of food to each mess hall. The goods were never brought in according to the menus. Many items such as milk and eggs are absolutely necessary to the growth of children. Before I go into this mess management statement and its facts and figures Mr. Sugimoto can present it for further clarification.

SUGIMOTO: These are the findings the food investigation committee gave me. This was necessitated by the fact that when we came in, the segregants felt that the food was qualitatively and quantitatively below that of the other Centers. They waited a few days but the food continued to be worse than it was in September so with the records existing right here in the Tule Lake Center these facts were investigated. During the month of September the cost of food per person per day was 27¢ a day including the food products produced within this Center. I think you signed the administrative instruction. Mr. Myer, regarding 31¢ per person for whatever food products were consumed over and above the food produced at this Center. But the way this food was computed in September it was all in one, with the amount of 27¢ per person per day including the food produced here. The average cost of subsistence on October 3 which was an average day one record was available and at that time the average was found to be 27¢ per person per day including the food produced here. Going back to the above statement, during the month of September vegetables and eggs and farm produce raised in this Center and well over 11,000 dollars and this is equivalent to about 3¢ per person per day. That included in the 27¢ makes the cost per person per day about 24¢. The commodities brought and shipped in from the outside by WRA are figured according to the OPA meat ration system to feed 14,700 persons. By computing the points at \$5.359 it was short rationed to the evacuees and over rationed to the caucasian personnel mess hall, which is

in operation here, to the extent of 34,133 points, so there was enough shipped in to be distributed to the people in this center but was evidently over rationed to the project employees and 168,000 points of processed food was bought and shipped into this project where only 127,000 points were needed but the funny part of it is that it was over rationed to the extent of 7,325 points to the caucasian mess hall and under rationed to the evacuee mess halls according to the existing records in the warehouse. And another term, between the time of September 17 and September 30 there is a record of 1,880 pounds of beef being dumped for reason of being unfit for human consumption and we thought this beef was to be government inspected. Investigation reveals that the caucasian mess hall not only gets some of the project meat but takes the choicest part of it. They get the cuts such as T-bone, rib steaks and tenderloin steaks. That part goes to the personnel mess hall and the evacuees mess halls get what is left. All of these items are contributing factors about which these evacuees in this camp are complaining, because they are not getting their proper share of food that comes into the project.

MYER: Let me say that if it proves to be true that you are not getting the food that you are supposed to be getting, that will be corrected immediately. Furthermore, proper action will be taken to have someone operate it. I know there are problems in mess management. We are investigating them. It will be necessary to go into the matter thoroughly. If you have any facts that will help Mr. Cahn or Mr. Best they will be delighted to have them. Let me say it is the responsibility of the WRA to provide the proper food. If the evacuee mess halls are not getting the points because someone else is, that will be corrected. I hope we can get this matter taken care of quickly. I am just as much interested in it as you are. I want to say one thing, that the developments within the last week or two within this Center may affect the immediate supply as it will take some time to get some of the products of the type that is produced in other Centers. That will have to be taken into consideration in looking out for immediate needs. I want to repeat it is the policy to trade with other centers to provide food in the quantity and quality necessary. Without that we will have to wait and get what food is available from the Quartermaster. I am sure that Mr. Best and Mr. Cahn are just as interested in getting those facts because we have a record to take care of. We will be pleased to have any information that we can so that we can get into it and get this straightened out soon.

KURATOMI: If we are called in to clarify these problems we will be glad to furnish any information we have and follow along as food is the concern of all the people. We are not asking for the impossible. We are not asking for things that can't be had outside.

MYER: There is no argument about that between us. We are not going into that now. Do you want to say anything Mr. Best or Mr. Cahn?

TULE LAKE CENTER—11/1/43—SB

MR. CAHN: All these things we will clarify, when going into detail.

We have been working on it for several weeks—checking ration points, taking inventory, and renting space in Klamath Falls. We had our own inspection of meat in the last 30 days. We had a government inspector—for the first time—inspecting all meat and vegetables that came into this Center. It is true they did not approve all the meat, but the meat that was rejected was sent back to the point of origin.

MR. KURATOMI: Going on to the question. As a request from the colonists, we want you to promise us that uniform porches, and latrine service improvements be made at once; dust control of the road should be attempted immediately. This has been more or less of a repetition. We have asked for them before.

MR. BEST: We agreed on that the other day.

MR. KURATOMI: What later attempts have been made?

MR. BEST: We agreed that you would have a committee and we would try to devise a standard porch and try to compute the total number of porches from that figure and prepare an estimate of what the entire program would cost, and if approval could be secured for lumber, nails, and other materials going in there from the WPB. We said that we would consider it. We told you that the other day.

MR. KURATOMI: Many units are still without brooms, buckets, mops, and other essentials. They still lack privacy, because the walls are up on one side only. The women cannot dress without being seen. There are still no closets. We are still waiting for buckets and brooms. This is my personal matter. I am not going to wait until the administration furnishes me with all these essentials. I am going to keep a record of it. If Mr. Myer wants to see all this, he can come down. It is a mess and I don't see how the people in responsible positions could be so indifferent to the welfare of the colonists.

It is a request from the Center residents that at all times, six ambulances should be in operation. This will be more or less of a repetition. Nevertheless, I will bring it up. The Center residents want you to recognize a Central Organization to report for the colonists on all matters concerning the welfare of the

residents. They also want you to recognize various committees which will work with the administration on some of the functionings of the Center. They also want you to promise that the hospital be supervised more humanely and that the Japanese doctors in this Center be given equal authority as those of the Caucasian doctors. As you all know, employment in this Center is very grave, and the people want unemployment compensation made available to all the workers who find no employment, just as soon as possible.

Going back a little, what steps are being taken to furnish each unit with sufficient essentials?

MR. BEST: I couldn't tell you. I don't know.

MR. CAHN: We had a quantity of brooms on hand and issued those. We didn't have the buckets; we couldn't buy them, but I do think that Mr. Black has gone into the matter and has issued the brooms we had on hand; we had 20,000 at that time. I don't know if Pete Zimmer could tell you more about the buckets.

MR. KURATOMI: There is an order out from the Civic Organization to all block managers, saying that no buckets, etc., were to be issued to the residents.

MR. CAHN: I repeat, the instruction was to issue all brooms on hand. As I said, we had 20,000 in stock. We had no buckets and we couldn't buy any today any place. They are just not for sale.

MR. KURATOMI: What do you want us to do?

MR. CAHN: As I say, Mr. Black is working on that problem, and also on what you can use in place of it.

MR. KURATOMI: Well, who is responsible for putting us in these centers?

MR. BEST: Let's not go into that now.

MR. CAHN: I am only discussing the problem as it arose at that time. Orders were given to issue them. I know that the problem has not been dropped and that they are working on it.

MR. KURATOMI: We have been told to leave the brooms and buckets in Jerome, because they would be reissued here, but nothing has been done about it. I certainly think that the administration should do everything within its power to acquire these for us, because I don't see how you gentlemen could be so indifferent. I wish you were in our position.

MR. CAHN: The assumption that we have been indifferent is not so. The problem was approached by the Community Management Division here immediately. I know they have taken steps to secure the necessary items for cleanliness and sanitation.

MR. KURATOMI: About these units: They have only plaster boards on one side. You could hear people talking and you have to whisper all day long, and the embarrassment to us is beyond words. Many are without closets and the women cannot change their clothes without being seen from the outside. No attempts are being made to rectify these conditions. I believe it is about time something should be done, at least to show that the administration is sincere about the welfare of the residents here.

PETE ZIMMER: Do you realize that all partitions that are put in during the day, disappear by night?

MR. KURATOMI: Let me ask you this. Suppose you are put in a unit with nothing in there; wouldn't you do something like that?

MR. ZIMMER: But can't you see that we can't gain on it at all? Housing tells us that this unit could be partitioned today. The partition is put in, but by tomorrow, it's not there. It's gone. Somebody else has it. I would much rather they took material that is not put up. When they keep taking those partitions, we can't gain on our work. Do you realize what I mean? Over in block 66, we partitioned nine buildings. Only two partitions were left in a week.

MR. KURATOMI: About this Central Organization or committees to work with the administration. I am sure that Mr. Best is in agreement with this.

MR. BEST: I told you that if there is a fair representation of everybody, then that is what we wanted to work with. The quicker the better. Mr. Black was instructed to work through you or any committees you send to him to devise such a meeting.

MR. KURATOMI: I am sorry that you gentlemen had to sit such a long time but I think Mr. Myer or any other gentleman has heard all the grievances, and dissatisfaction of the Center residents that came to a boiling point today. There is a statement here from the residents demanding the removal of Mr. Best as Project Director; Mr. Zimmer as Assistant Project Director; Mr. Schmidt, who is head of the International Security Division, for letting over 20 tons of food pass without stopping it at once; Mr. Kallum, Head of the Agricultural Division, who is directly responsible for the termination of the farm workers; Mr. Peck, who is responsible for the management of all the mess division; Mr. Kirkman, of the Warehouse Division, who allowed 20 tons of food to be taken out of the warehouse; all the Caucasian doctors—five of them—and all

the nurses to be dismissed from this Center administration. This is just about all that we have on hand, and there are many minor points that could be brought up which would take days to clarify.

Consequently, I feel that the committees should be entrusted with the responsibility of working out minor details. The last statement just made in my statement is a statement as requested by the Center residents. I would like to emphasize that and repeat it. This is a request not among the representatives here, but from the Center residents, to have these persons removed from the Center administration.

MR. MYER: Have you finished?

MR. KURATOMI: Yes.

MR. MYER: All I have to say further is this. I am glad to have had the opportunity to meet with you. I want to say that I have absolute confidence in Mr. Best, or I wouldn't have placed him here. I placed him here because I felt that he had understanding, courage, and would know how to work with you people in working out your problems. I still think that as far as personalities are concerned, I came up here to go over with him, problems in relation to personnel or any other problems that he might have. I am going to accept his recommendations and will probably make a few of my own. I want to make it quite clear that Mr. Best is in charge, and that we can't operate on the basis of demands, but only the basis of sitting down and talking things over. There is only one agency I know of who operates on the basis of demands. We don't operate that way. I want to repeat. The War Relocation Authority has been in operation for a year and a half. We have gone through a good many trials and tribulations and troubles. We have been investigated twice by the United States Congress, as regarding the population and problems of these people. They have said things about your problems which I haven't agreed with.

We have tried to get together on facts and have tried to do it within the limits of the policies and our particular administration. We hope we can work with you. If we can't, I presume there will be someone else working with you. I don't know who that would be. I am sure you are not interested in having trouble. When I went into this position, I knew there would be some trouble and I was prepared for it. I am still prepared for it. When you have suggestions, bring them to Mr. Best. Don't bring them in the way of demands. That embarrasses him and it embarrasses you. We can't meet demands. We are operating under the United States Government and have to follow certain policies. We are willing to investigate charges and are willing to take action if we find they are based on facts. I am much obliged to you for coming in. I am sure that you will want to operate on that kind of basis, and if you don't, there will have to be some other kind of basis worked out. I am not here to make threats. I don't make threats. We stand on what we are trying to do. We think our program has been pretty sound, so far, and that the evacuees generally understand that. I think you have some difference of opinion in this Center. While I don't know how many people you represent, I doubt that you represent all of them. I hardly think that you represent everybody's point of view. It is difficult to represent everybody's point of view when there are 15,000 people here. I hope that I can have an opportunity to devote my time and attention to the problems represented here within the next 24 hours or so and I want to get at some facts and I am sure that is what you want me to do.

MR. KURATOMI: This case was just brought up. In block 34, I don't know which corner, there has been an evacuee picked up by an Army jeep and this man was inside a box. Around 50, rather stout, and he wore a beige hat, and I wonder if there is some way for you to check it up.

MR. BEST: You say an Army jeep?

MR. KURATOMI: Yes. He was picked up, I imagine.

MR. BEST: When?

MR. KURATOMI: Just now. These people saw it:

Kiyohara
Saito
Nakano

MR. BEST: I can call the army up and ask them.

(Upon later questioning, Mr. Kuratomi was unable to furnish the name of the man in question.)

MR. MYER: We will be glad to look into that. We are taking so much time, I feel we should get around and get the job done. We will check with the Army and will report the facts to you.

MR. KURATOMI: I would like to say in a concluding statement, that as we have already stated, we are not here for trouble and we don't expect to have any unnecessary commotions and we are sincere and feel that the rights of the evacuees here are being jeopardized and sometimes trampled upon, and I feel that you are a man of character and will see justice as it is and try to rectify some of the wrongs that might have been committed by some of the Caucasian personnel. We are

depending on you and would like to say that we would like to get these answers or questions clarified for answer, just as soon as possible, because the people are waiting and the sooner we can give them the facts, the sooner these problems will be dissolved and we will have a peaceful center that much quicker.

MR. MYER: First, gentlemen, it will not be possible to give you answers to all these questions this afternoon. Thank you very much for the compliment. We will try to operate on the basis of justice and I want to repeat that I don't want any misunderstanding on that. Mr. Best has checked with me on policy every time. People do things that we don't always know about, both among the evacuees and the administrative staff. I am much obliged to you and I hope that you will remember that we cannot operate on the basis of demands and the sooner we understand that, the better we will be getting along. We will operate on that basis, of sitting down with you folks as we have this afternoon.

MR. KURATOMI: Will it be all right for us to report to the people?

MR. BEST: You are reporting to your people. I don't know what you want to say to your people.

MR. KURATOMI: Mr. Myer, will you say a few words?

MR. MYER: I would be glad to say hello to your folks, if you want me to. I will tell them in summary what I have told you. I will be very glad to tell them.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 28, 1944

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred: Senate Constitutional Amendment No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 6; absent 5.

RICH, Chairman

Above reported resolution ordered to third reading.

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 1

And reports the same correctly engrossed.

SEAWELL, Chairman

RESOLUTIONS

The following resolution was offered:

By Senator Seawell:

Senate Resolution No. 12

WHEREAS, This Third Extraordinary Session of the Fifty-fifth Session has been called to consider amendments to laws relating to voting by the members of our armed forces, a complete reorganization of our Penal System, the legislation with reference to taxation of property of the United States in addition to the approval and rejection of city and county charter amendments; and

WHEREAS, Such questions are of vital importance to the people of the State of California; and

WHEREAS, The solution of such problems call for mature and deliberate study by the Members of the Senate, and, in order to enact proper legislation on such subjects, it may be necessary to compile and make available to the Legislature various facts, statistics and information which can not be procured without considerable effort and expense; and

WHEREAS, In such work of ascertaining such facts and securing information for the use of the Senate in its deliberation upon the questions submitted to it, it will be expeditious and economical to appoint a committee whose responsibility shall be to ascertain such facts, secure such information and statistics as may be of assistance to the Senate in enacting legislation upon the questions submitted to it at this extraordinary session; now, therefore, be it

Resolved by the Senate of the State of California, That there is hereby created a Special Committee on Legislative Information and Processes, consisting of the Members of the Senate who are Chairmen of the following standing committees: Rules, Finance, Governmental Efficiency, Judiciary, Revenue and Taxation, and Attaches; and be it further

Resolved, That the committee hereby created shall, during the Fifty-fifth Third Extraordinary Session of the Legislature and any recess thereof, make such studies

as may be necessary, and ascertain such facts and information, to secure such statistics for the use of the Members of the Senate as to enable it to better consider the questions submitted to it at this Third Extraordinary Session, and to enact appropriate legislation upon the subjects being considered in such extraordinary session; and be it further

Resolved, That such committee shall take such steps as may be necessary to coordinate the work of the various committees of the extraordinary session in considering questions properly before such session in order that there be no duplication of work or effort; and be it further

Resolved, That to enable the committee hereinabove provided for to perform the duties assigned to it, said committee shall have and may exercise the following powers and duties:

(1) To select a chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees of one or more members from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To meet at any and all times prior to adjournment of this session of the Legislature, whether the Senate or Assembly be actually then sitting or not, and at any and all places within the State, in the performance of its duties and in carrying out the objects and purposes of this resolution;

(6) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(7) To report its findings and recommendations to the Senate; and

(8) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution; and be it further

Resolved, That the committee, each of its members, and any representative of the committee thereunto authorized by the committee or by its chairman, is authorized and empowered to administer oaths; and all of the provisions of Article 8, Chapter 2, Title 1, Part 3 of the Political Code, relating to the attendance and examination of witnesses before the Legislature and committees thereof, apply to the committee hereby created; and be it further

Resolved, That the Sergeant-at-Arms of the Senate and other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee or by a subcommittee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation and shall not be allowed mileage; and be it further

Resolved, That the sum of one thousand dollars (\$1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and for any charges, expenses or claims it may incur under this resolution, to be paid from the Contingent Fund of the Senate and disbursed, after certification by the chairman of the committee, or if incurred by a subcommittee, by the member or members of such subcommittee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Carter, Collier, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Luckey, Mayo, McBride, Parkman, Powers, Rich, Salsman, Seawell, Slater, and Swan—23.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolutions were offered:

Senate Joint Resolution No. 4: By Senators Burns and Gordon—Relative to memorializing the President and the Congress of the United States in relation to the restoration of ordinary standard time in the winter months.

Referred to Committee on Rules.

Senate Joint Resolution No. 5: By Senators Donnelly, Slater, Dorsey, Hatfield, and Quinn—Relative to substitution of United States Army for War Relocation Authority in the administration of Tule Lake Japanese Center and other internment camps.

Referred to Committee on Military and Veterans Affairs.

Senate Joint Resolution No. 6: By Senators Quinn, Slater, Mixter, DeLap, Luckey, Dorsey, Tenney, and Swing—Relative to memorializing the President and Congress of the United States in relation to discharge of disabled veterans from the armed forces.

Referred to Committee on Military and Veterans Affairs.

REQUEST FOR UNANIMOUS CONSENT

Senator Slater asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Relative to Henry E. Carter.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to the death of H. S. G. McCartney.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Approving amendments to the charter of the City of Santa Monica, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of December, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Gordon, Jespersen, Judah, Keating, Luckey, Mayo, McBride, Mixter, Parkman, Powers, Rich, Salsman, Seawell, Slater, Swan, Tenney, and Ward—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Tickle asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Monterey, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of May, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—28.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Joint Resolution No. 7: By Senator Salsman—Relative to commending the patriotic efforts of the United States Treasury Department, Defense Savings Staff and those of the volunteer workers in cooperation therewith in the Fourth War Loan Drive and urge generous public support thereof.

Request for Unanimous Consent

Senator Salsman asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 7, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 7

Senate Joint Resolution No. 7—Relative to commending the patriotic efforts of the United States Treasury Department, Defense Savings Staff and those of the volunteer workers in cooperation therewith in the Fourth War Loan Drive and urge generous public support thereof.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Crittenden, Deuel, Donnelly, Dorsey, Fletcher, Jespersen, Judah, Keating, Luckey, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—25.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read third time.

RECESS

At 12.42 p.m., on motion of Senator Seawell, the Senate recessed until 2.15 p.m.

REASSEMBLED

At 2.15 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Assistant Secretary Harry A. Hammond at the desk.

FURTHER CONSIDERATION OF SENATE BILL NO. 1

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read third time.

Motion to Amend

Senator Keating moved the adoption of the following amendments:

Amendment No. 1

On page 7 of the printed bill, as amended, strike out lines 25 to 52, inclusive; and on page 8, strike out lines 1 to 4, inclusive, and insert

"6051. The provisions of Article XXIV of the State Constitution and of the State Civil Service Act, except as hereinafter provided, shall apply to, and the term "State civil service" shall include, State officers and employees not heretofore included in

the State civil service and who were directly appointed or employed by the State Board of Prison Directors or any warden of a State prison except:

(a) Appointees of the Governor and persons holding positions designated to be confidential pursuant to paragraph (5) of subdivision (a) of Section 4 of Article XXIV (for the purposes of which paragraph the Adult Authority, the Youth Authority, the Director of Corrections and the wardens shall be considered separate boards, commissions and officers) shall remain exempt from civil service.

(b) Persons whose employment requires them to be members of any profession, who shall be appointed by a warden subject to the approval of the director and may be removed by the director.

Persons who left such employment subsequent to January 1, 1940, or who hereafter may leave to enter the military service of the United States but who, had they remained in such employment, would have been entitled to probationary status under this section shall be accorded the full protection of Sections 152.5, 152.6 and 174 of the State Civil Service Act.

The director has the power to employ and fix the compensation of officers and employees of the department who are covered by the State Civil Service Act except officers and employees appointed and employed by the Adult Authority, the Board of Trustees of the California Institution for Women, and the Youth Authority.

6052. All officers and employees in the department in the State civil service except those under the Youth Authority, the Adult Authority and the Board of Trustees of the California Institution for Women, are subject to all of the provisions of the State Civil Service Act except Section 170 relating to tenure, Section 171 relating to disciplinary suspensions, and Section 173 relating to other disciplinary and punitive actions. The excepted officers and employees are subject to all the provisions of the State Civil Service Act and Sections 6053, 6054 and 6055 do not apply to them.

6053. The director or, pursuant to the authorization of the director, any warden of a State prison having jurisdiction, may immediately, for disciplinary purposes, suspend an employee without pay for a period not exceeding 60 days in any calendar year. Such suspensions without pay may be effected by service upon the employee, in the manner provided in Section 41.5 of the State Civil Service Act, within 10 working days of the date of such suspension, of a written statement setting out clearly the delinquency for which the suspension was made a copy of which at the same time must be filed with the State Personnel Board. The suspended employee shall have the right to file with the State Personnel Board, with the director and the warden a written explanation or answer to such reasons. Any employee may appeal to the State Personnel Board within 30 days after service of the reasons forming the basis of such suspension on the grounds that the written reasons are untrue or that said suspension had not been made in good faith. The State Personnel Board shall within 30 days of such appeal hold such hearing or investigation as it may deem necessary, and in rendering a decision the State Personnel Board may affirm or disaffirm the suspension.

6054. The tenure of every permanent employee holding a position under the provisions of this chapter and the State Civil Service Act shall be during good behavior, but any such employee may be temporarily separated from the State civil service through layoff or leave of absence as provided in the State Civil Service Act, or through suspension as provided in this chapter, and may be permanently separated through resignation as provided in the State Civil Service Act or removal as provided in this chapter, or may be permanently or temporarily separated through retirement as provided for in the State Employees' Retirement Act.

6055. (a) The tenure of every permanent employee holding a position under the provisions of this chapter shall be during good behavior, but any such person may be removed, demoted, suspended, or reprimanded, or otherwise disciplined under a procedure in conformity with the provisions of this chapter which shall be set up by rule of the State Personnel Board for any of the following causes: Fraud in securing appointment, incompetence, inefficiency, physical or mental disability, insubordination, dishonesty, drunkenness on duty, intemperance, addiction to the use of narcotics or habit-forming drugs, conviction of a felony or misdemeanor involving moral turpitude, immorality, discourteous treatment of the public or other employees, improper political activity, wilful disobedience, violation of the provisions of this chapter or of the Rules of the State Personnel Board, or of the rules of the department or any agency of the department, or for any other failure of good behavior or any other act or acts which are incompatible with or inimical to the public service or to the proper administration of penal institutions.

(b) The director or, pursuant to the authorization of the director, the warden of any State prison, on his own motion or on the filing of written charges with him by any person or by the State Personnel Board, may discharge any permanent employee subject to the provisions of this chapter for any of the causes set out above. Such dismissal may be effected by serving charges upon the employee, in the manner provided in Section 41.5 of the State Civil Service Act which charges shall be made in writing and clearly state the specific act or acts of the employee constituting such cause and a copy of which shall be filed with the State Personnel Board. The dismissal shall be effective at once upon the filing of charges on the employee.

(c) Within 30 days after the filing with it of a copy of the charges, the State Personnel Board may, or at the request of the discharged employee shall investigate the grounds for dismissal. Such investigation need not necessarily take the form of a formal hearing. If at the end of 30 days from the filing of a copy of the charges with the State Personnel Board no hearing has been initiated by the board or requested by the discharged employee, the charges shall be deemed to have been confirmed by the board and the employee shall stand dismissed.

(d) If upon investigation the State Personnel Board shall find or the employee shall prove that the grounds for dismissal were not as required by the chapter or are not sustained, or if the board shall also find or the employee shall prove that the employee is a fit and suitable person to fill the position from which he was discharged, the State Personnel Board may modify the order of dismissal by restoring the employee to duty or to his original place on the eligible list or by suspending, transferring, or otherwise disciplining the employee.

(e) The director or, pursuant to authorization of the director, the warden of any State prison, may for disciplinary purposes suspend, transfer, or otherwise discipline any employee under the same procedure outlined above to govern dismissals."

Amendment No. 2

On page 8, line 5, of the printed bill, as amended, strike out "6053", and insert "6056."

Amendment No. 3

On page 8 of the printed bill, as amended, strike out lines 11 to 19, inclusive, and insert "the State Civil Service Act."

Amendment No. 4

On page 13, line 29, of the printed bill, as amended, after "Authority", insert "The Chief State Parole Officer shall be exempt from Civil Service."

Amendments read.

Motion to Table

Senator Deuel moved that the amendments offered by Senator Keating be laid on the table.

Motion withdrawn.

Amendments Withdrawn

Senator Keating withdrew his amendments.

The question being on the passage of Senate Bill No. 1.

The roll was called, and Senate Bill No. 1 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Cunningham, DeLap, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tickle, and Ward—32.

NOES—Senators Carter, Collier, Crittenden, Dillinger, Shelley, and Tenney—6.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Elections

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: Your Committee on Elections, to which was referred:

Senate Bill No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 5; noes 2.

BREED, Chairman

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 2—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections:

Amendment No. 1

In line 2 of the title of the printed bill, after "2053.5," insert "2540.1, 2571.5, 2630.5."

Amendment No. 2

On page 1 of the printed bill, strike out lines 12 to 15, inclusive, and insert "Nothing contained in this act shall affect any municipal, district, or local election, except such of them as may be consolidated with the presidential primary, direct primary, or general election, it being the intent that this act shall apply only to the presidential primary, the direct primary, the general elections and elections consolidated with them."

Amendment No. 3

On page 2 of the printed bill, strike out lines 28 to 36, inclusive, and insert "51. Whenever by any provision of any law of this State relating to the presidential primary, the general election, any election consolidated with either of them, or to the direct primary, the doing of any act relating to the application for or delivery of absent voters' ballots for such election, or the doing of any act towards the placing on or removal from the ballot of the name of a candidate, including any act in relation to the circulation, signing, or filing of any document or paper, the examination thereof or certifying thereto, or the certification, posting, or publication of names of candidates is required to be done on or".

Amendment No. 4

On page 2, line 44, of the printed bill, strike out "as to", and insert "or compiling of".

Amendment No. 5

On page 2 of the printed bill, between lines 50 and 51, insert "This section shall not apply to or affect any date, time, or period specified in Sections 2050.5, 2053.5, 2256, 2630.5, 2706, 2839.5, 2843.5, 2892.5, 3045, 3105, 3107, 3935.5, 7964.5, 8136, 8140, 10502, 10601, or 10601.5."

Amendment No. 6

On page 3, line 5, of the printed bill, between "forces" and "or", insert "or auxiliary branch thereof,".

Amendment No. 7

On page 3, lines 9 and 10, of the printed bill, strike out "will be necessarily and unavoidably", and insert "believes that he will be".

Amendment No. 8

On page 3, line 39, of the printed bill, between "same" and "together", insert "in the return envelope but not in the identification envelope".

Amendment No. 9

On page 3, line 40, of the printed bill, between "ballot" and "to", insert "enclosed in the identification envelope,".

Amendment No. 10

On page 3, lines 48 and 49, of the printed bill, strike out "for said election".

Amendment No. 11

On page 3, line 50, of the printed bill, after "time", insert "prior to the election".

Amendment No. 12

On page 4, line 14, of the printed bill, strike out "absent voter's ballot", and insert "identification envelope".

Amendment No. 13

On page 5 of the printed bill, between lines 44 and 45, insert

"Sec. 15. Section 2540.1 is added to said code, to read:
2540.1. A party is qualified to participate in any primary election:

(a) If at the last preceding gubernatorial election there was polled for any one of its candidates who was the candidate of that party only for any office voted on throughout the State, at least 3 per cent of the entire vote of the State, or for any one of its candidates who, upon the date of such gubernatorial election, as shown by the affidavits of registration of voters in the county of his residence, was affiliated with that party and who was the joint candidate of that party and any other party for any office voted on throughout the State, at least 6 per cent of the entire vote of the State; or

(b) If on or before the ninety-fifth day before any primary election it appears to the Secretary of State as a result of examining and totaling the statement of voters and their political affiliations transmitted to him by the county clerks, that voters,

equal in number to at least 1 per cent of the entire vote of the State at the last preceding Gubernatorial election, have declared their intention to affiliate with that party; or

(c) If on or before the ninety-fifth day before any primary election there is filed with the Secretary of State a petition signed by voters, equal in number to at least 10 per cent of the entire vote of the State at the last preceding Gubernatorial election, declaring that they represent a proposed party, the name of which shall be stated therein, which proposed party those voters desire to have participate in that primary election. This petition shall be circulated, signed, verified and the signatures of the voters thereon shall be certified to and transmitted to the Secretary of State by the county clerks substantially as provided for initiative petitions. Each page of the petition shall bear a caption in 18-point black-face type, which caption shall be the name of the proposed party followed by the words "Petition to participate in the primary election." No voters or organization of voters shall assume a party name or designation which is so similar to the name of an existing party as to mislead voters.

(d) Except that whenever the registration of any party which qualified in the previous direct primary election falls below one-tenth of 1 per cent of the total State registration, that party shall not be qualified to participate in the primary election but shall be deemed to have been abandoned by the voters, since the expense of printing ballots and holding a primary election would be an unjustifiable expense and burden to the State for so small a group. The Secretary of State shall immediately remove the name of such party from any list, notice, ballot, or other publication containing the names of the parties qualified to participate in the primary election.

SEC. 16. Section 2571.5 is added to said code, to read:

2571.5. A statement of the number of voters in his county at the close of registration on the eleventh day prior thereto shall be transmitted to the Secretary of State by each county clerk at the following times:

(a) On the twenty-ninth day before each Presidential primary.

(b) On the one hundred fourth day before each direct primary.

(c) On the twenty-ninth day before each direct primary.

(d) On the twenty-ninth day before each general election.

The statement shall show the total number of voters in the county, the number registered as affiliated with each political party and the number who declined to state a party affiliation.

SEC. 17. Section 2630.5 is added to said code, to read:

2630.5. All sponsors' certificates and declarations of candidacy by sponsors which are required to be filed in the office of the Secretary of State shall, after being left with the county clerk, be forwarded by him on or before the seventy-second day prior to the direct primary election to the Secretary of State, who shall receive and file them. The county clerk shall forward with the sponsors' certificates and declarations of candidacy by sponsors a statement showing the total number which have not been marked "not sufficient."

Amendment No. 14

On page 5, line 45, of the printed bill, strike out "15", and insert "18".

Amendment No. 15

On page 6, line 15, of the printed bill, strike out "16", and insert "19".

Amendment No. 16

On page 6, line 49, of the printed bill, strike out "17", and insert "20".

Amendment No. 17

On page 7, line 5, of the printed bill, strike out "18", and insert "21".

Amendment No. 18

On page 7, line 11, of the printed bill, strike out "19", and insert "22".

Amendment No. 19

On page 7, line 24, of the printed bill, strike out "20", and insert "23".

Amendment No. 20

On page 7, line 35, of the printed bill, strike out "21", and insert "24".

Amendment No. 21

On page 7, line 47, of the printed bill, strike out "22", and insert "25".

Amendment No. 22

On page 8, line 10, of the printed bill, strike out "23", and insert "26".

Amendment No. 23

On page 8, line 19, of the printed bill, strike out "24", and insert "27".

Amendment No. 24

On page 8, line 25, of the printed bill, between "and" and "shall", insert ". unless the applicant is already a registered elector."

Amendment No. 25

On page 8, line 27, of the printed bill, strike out "25", and insert "28".

Amendment No. 26

On page 8, line 32, of the printed bill, after "affiliation", insert "or, if the applicant has not indicated his affiliation with a political party, a nonpartisan ballot".

Amendment No. 27

On page 9, line 1, of the printed bill, strike out "26", and insert "29".

Amendment No. 28

On page 9, line 9, of the printed bill, strike out "27", and insert "30".

Amendment No. 29

On page 9, line 16, of the printed bill, strike out "by reason of his service".

Amendment No. 30

On page 9, line 17, of the printed bill, strike out the comma.

Amendment No. 31

On page 9, line 29, of the printed bill, strike out "28", and insert "31".

Amendment No. 32

On page 9, line 33, of the printed bill, strike out "29", and insert "32".

Amendments read and adopted.

Bill ordered printed, engrossed, and to third reading.

RESOLUTIONS

The following resolutions were offered:

By Senators Hatfield, McBride, Crittenden, Donnelly, Ward, Dorsey, Fletcher, McCormack, Salsman, Gordon, Slater, Cunningham, Swing, and Kuchel.

Senate Resolution No. 13

WHEREAS, California effectively contributed to the winning of the war by increasing the production of food and fiber during 1943, despite handicaps resulting from war conditions; and

WHEREAS, It is fitting and proper that tribute be paid to those who have been instrumental in contributing to this achievement; and

WHEREAS, Such results could not have been attained without the cooperation of our Sister Republic, Mexico, and those of its citizens who left home and families to labor in strange fields in furtherance of the cause of the United Nations; and

WHEREAS, The citizens of Mexico, while engaged in agricultural work in this State, have at all times comported themselves so as to reflect honor and glory upon their Country and to bind more strongly the ties of friendship that exist between this Country and the United States of Mexico; and have, in addition to their intensive efforts in the cause of producing food and fiber, aided the prosecution of the war by the purchase of war bonds, and have cooperated fully and completely with civilian and military authorities at all times; and

WHEREAS, The responsible officials of the Republic of Mexico and of this State and Country have been zealous to foster the friendly atmosphere that has been engendered by this mutual effort upon the part of this Country and the United States of Mexico; now, therefore, be it

Resolved by the Senate of the State of California, That it hereby expresses its appreciation to the Republic of Mexico and to its citizens who have made common cause with us, and to all participating officials for their efforts to enable this State to bring its shoulder effectively to the wheel of production; and be it further

Resolved, That it is the sincere desire of this Senate that California may continue to have as its guests the citizens of its southerly neighbor, and that the existing spirit of understanding and good will shall continue to flourish; and be it further

Resolved, That copies of this resolution shall be sent by the Secretary of the Senate to the President and Vice President, and to the Secretary of State with the request that, if he deem it appropriate, the sentiments of this Senate be made known to the proper officers of our Sister Republic.

Resolution read, and unanimously adopted.

By Senators Shelley, Swan, Keating, Powers, Dorsey, and Burns:

Senate Resolution No. 14

Relating to memorializing Congress urging the enactment of a Federal Absentee Voters Law covering servicemen and servicewomen

WHEREAS, Approximately 10,000,000 citizens are now in the military services and Merchant Marine of the United States; and

WHEREAS, The vast majority of these American citizens are eligible to vote; and
WHEREAS, Our Service Men are now fighting in a global war to maintain our form of government; and

WHEREAS, It is necessary for the success of that governmental system that the vote of the people be truly representative; and

WHEREAS, Those in the military forces and Merchant Marine should be given the maximum opportunity for voting; and

WHEREAS, Several States have enacted statutes varying in their provisions, while other States have wholly neglected to provide any procedures for voting by members of the services; and

WHEREAS, There is an imperative need for adequate, uniform machinery for absentee balloting by our military and Merchant Marine personnel; and

WHEREAS, The Federal Soldier Voting Law now in effect is not satisfactory; now, therefore, be it

Resolved by the Senate of the State of California, That the Congress be memorialized to pass such legislation as will set up a simplified uniform ballot distributed by Federal authorities and that such ballots be distributed to the members of the armed services and to the Merchant Marine; and be it further

Resolved, That the Secretary of the Senate be hereby ordered to forward copies of this resolution to the President and Vice President of the United States, to the Secretary of War, to the Secretary of the Navy, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Military and Veterans Affairs.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was offered:

Senate Concurrent Resolution No. 6: By Senator Seawell—Relative to Harry Lane Englebright.

Request for Unanimous Consent

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to Harry Lane Englebright.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Minter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were introduced, and read the first time:

Senate Joint Resolution No. 8: By Senators Breed, Dillinger, McCormack, Ward, Tickle, Biggar, and Crittenden—Relative to memorializing Congress to enact legislation to enable the transmission by air of election ballots and returns to and from locations where men of the armed forces may be stationed.

Referred to Committee on Military and Veterans Affairs.

Senate Bill No. 3: By Senators Collier, DeLap, and Dillinger—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 4: By Senator Swing—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Referred to Committee on Rules.

Senate Bill No. 5: By Senator Dillinger—An act to amend Sections 2453, 2454, 2600, 2621, 2626, 2627, 2628, 2629, 2633, 2670, 2742, 2840, 2841, 2893, 2897 and the article heading of Article 4 of Chapter 2 of Division 5, and to repeal Sections 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2622, 2623, 2624, 2625, 2630, 2631 and 2632 of the Elections Code, relating to sponsor certificates and verification deputies.

Referred to Committee on Elections.

RESOLUTIONS

The following resolution was offered:

By Senator Powers:

Senate Resolution No. 15

WHEREAS, There has been submitted to the Legislature at this special session the question of taxation by the State of California of Federal property located within the State or the receipt of payments in lieu of such taxation; and

WHEREAS, It will be necessary to amend the Constitution of the State of California before it will be possible to tax any such property of the United States in the State of California; and

WHEREAS, It appears that it will be advisable for the Legislature to have before it at the next regular session such information concerning the taxation of Federal property or securing of payments in lieu of such taxation as will enable the Legislature to enact such legislation as may be necessary to accomplish such purpose; now, therefore, be it

Resolved, That a Senate Interim Committee on Taxation of Federal Property is hereby created. The committee shall consist of five members and shall be appointed by the Committee on Rules; and be it further

Resolved, That it shall be the duty of this committee to make a study of all problems which may arise in connection with the taxation of federal property within the State of California, or the receipt of payments in lieu of such taxation, to study the best means of accomplishing such purpose, and to report to the Senate at the Fifty-sixth Session its recommendations with reference to such problem; and be it further

Resolved, That said committee shall have and may exercise all of the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3 of the Political Code, by Sections 9400 to 9412 of the Government Code, and by the Joint Rules and Senate Rules; and be it further

Resolved, That said committee shall have power:

(1) To select a vice chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing on the subject matter of this resolution;

(7) To meet at any time during this session of the Legislature or after the final adjournment thereof;

(8) To report to this Senate at any time prior to final adjournment of the Fifty-sixth Regular Session of the Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to make all necessary means to compel the attendance of witnesses and procure testimony;

(10) To do any and all things necessary to carry out the purposes and intent of this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Senate or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of four thousand dollars (\$4,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules.

ADJOURNMENT

At 3.45 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 10.30 a.m., Sunday, January 30, 1944, out of respect to the memory of Henry E. Carter, H. S. G. McCartney, and Harry Lane Englebright.

JOHN F. LEA, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FOURTH LEGISLATIVE DAY
FOURTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Sunday, January 30, 1944

The Senate met at 10.30 a.m.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Richard C. Dwyer.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Quinn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dayton Murry, Commander, Third District American Legion; Clair Shumate, Commander, Fort Humboldt Post American Legion; Bernard Q. Bartlett, Chairman, Draft Board; George G. Cloney, Member of Draft Board, all of Eureka.

On request of Hon. Frederick F. Houser, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wm. Houghton, Commander of the Department of California, American Legion, El Monte, California; James Fisk, Adjutant, Department of California American Legion; Edmund Bolt, prominent member of the Department of California American Legion.

On request of Senator Shelley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Aldo Guidotti, Boalt Hall Law School, Berkeley.

On request of Senator Collier, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Homer J. Stream of Piedmont.

On request of Senator Fletcher, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Frederick F. Houser, wife of the Lieutenant Governor.

On request of Hon. Frederick F. Houser, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Earl Warren, wife of the Governor of California.

On request of Senator DeLap, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. U. S. Abbott, Miss Elizabeth Ditto, and T. H. DeLap, all of Richmond; and Mrs. W. P. Rich of Marysville.

On request of Senator Dillinger, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carroll J. Holt, Assistant Executive Officer, Boy Scouts of America; and daughter, Miss Dianne Holt, both of Sacramento.

On request of Senators Dorsey and Swan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lieutenant Harvey Veon, and Mr. and Mrs. H. R. Veon, both of Sacramento.

On request of Senator Tickle, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lieutenant Arthur Dryden, United States Air Corps, and Mrs. Dryden, of Sacramento.

On request of Senator Hatfield, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Walter A. Gordon, her sister, Mrs. Ella Hurd, and father, John Fisher of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hubert Scudder, former Assemblyman, Real Estate Commissioner.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1
Senate Concurrent Resolution No. 5
Senate Joint Resolution No. 1

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered and enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 6; absent 3.

QUINN, Chairman

Above reported resolution ordered to third reading.

MOTION TO PRINT REPORT

Senator Hatfield moved that the Secretary of the Senate be instructed to have 2,500 copies of the Partial Report of the Interim Investigating

Committee Concerning Japanese Resettlement printed in pamphlet form, and made available to the Members.

Senator Judah seconded the motion.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 11

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Joint Resolution No. 11—Relative to the President's Birthday and the March of Dimes.

Request for Unanimous Consent

Senator DeLap asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 11

Assembly Joint Resolution No. 11—Relative to the President's Birthday and the March of Dimes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Slater, Swan, Swing, Tenney, and Ward—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 1

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 7

Assembly Concurrent Resolution No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 1—Relative to memorializing Congress to simplify the income tax returns.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to memorializing Congress to simplify the income tax returns.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, and Tickle—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were read:

Assembly Joint Resolution No. 2—Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

Referred to Committee on Military and Veterans Affairs.

Assembly Joint Resolution No. 7—Relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions.

Referred to Committee on Revenue and Taxation.

Assembly Concurrent Resolution No. 9—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of November, 1943.

Without reference to committee.

REPORTS OF STANDING COMMITTEES**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which were referred:

Senate Joint Resolution No. 5

Senate Joint Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

Above reported resolutions ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 5, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 5

Senate Joint Resolution No. 5—Relative to substitution of United States Army for War Relocation Authority in the administration of Tule Lake Japanese Center and other internment camps.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 6, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Senate Joint Resolution No. 6—Relative to memorializing the President and the Congress of the United States in relation to the discharge of disabled veterans from the armed forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

RECESS

At 12.36 p.m., on motion of Senator Seawell, the Senate recessed until 3 p.m.

REASSEMBLED

At 3 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day amended, and adopted, as amended:

Senate Concurrent Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended:

Senate Bill No. 1

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above bill ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 6

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By the Committee on Rules:

Senate Resolution No. 16

WHEREAS, The Senate on April 7, 1943, by Senate Resolution No. 97, directed the Secretary of the Senate to have the chairs in the Senate Chamber repaired and upholstered at an estimated cost of not to exceed \$12 per chair; and

WHEREAS, Such service has been performed at a cost of approximately \$9 per chair, including cartage to and from San Quentin; now, therefore, be it

Resolved, That the Treasurer be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of \$309.16 to pay to the State Department of Finance and transportation agencies for materials and transportation necessary in connection with repair and upholstery of Senate chairs.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Gordon, Hatfield, Jespersen, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Slater, Swan, Swing, Tenney, and Ward—28.

NOES—None.

By the Committee on Rules:

Senate Resolution No. 17

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in a sum of five hundred dollars (\$500) in favor of the Secretary of the Senate, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, typewriter repairs, illuminating resolutions, expressage, bills from State Department of Finance, traveling expenses and any other incidental expenses in connection with conducting the business of the Senate and performing any duties imposed by the Rules or resolutions of the Senate, also to pay any bills for incidental expenses of the Senate heretofore incurred but for which payment has not been provided by any other resolution.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Carter, Collier, Crittenden, DeLap, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Keating, Kuchel, Luckey, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Slater, Swan, Swing, Tenney, and Ward—26.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: Your Committee on Rules, to which were referred:

Senate Resolution No. 15

Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported resolutions ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Burns asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 4, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 4

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States in relation to the restoration of ordinary standard time in the winter months.

The roll was called.

Call of the Senate

Pending the announcement of the vote, Senator Gordon moved a call of the Senate.

Motion carried. Time 3.27 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE**REPORTS OF STANDING COMMITTEES****Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Bill No. 4

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 5; committee vote: Ayes 4; absent 1.

SEAWELL, Chairman

Above reported bill ordered to second reading.

**FURTHER PROCEEDINGS UNDER CALL OF THE SENATE
DISPENSED WITH**

At 3.34 p.m., on motion of Senator Gordon, further proceedings under the call of the Senate were dispensed with.

The names of the absentees were called, and Senate Joint Resolution No. 4 adopted, by the following vote:

AYES—Senators Brown, Burns, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Kuchel, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Seawell, Swan, Swing, Tenney, and Ward—24.

NOES—Senators Biggar, Breed, Carter, DeLap, Judah, Keating, Mayo, McBride, Salsman, Shelley, and Slater—11.

Resolution ordered transmitted to the Assembly.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 4—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Bill read second time, ordered engrossed, and to third reading.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Swing:

Resolved, That Senate Bill No. 4 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and

it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, and Ward—35.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 4

Senate Bill No. 4—An act making an appropriation for expenses of members of the Senate pursuant to Section 352 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, and Ward—35.

NOES—None.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred:

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 7; absent 4.

RICH, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Dillinger asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 7, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 7

Assembly Joint Resolution No. 7—Relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormick, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Constitutional Amendment No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were read:

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 7 of Article X thereof, relating to the power of the Legislature over the criminal, penal, and correctional system of the State.

Referred to Committee on Governmental Efficiency.

Assembly Concurrent Resolution No. 10—Relative to pay scales of State employees.

Referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES**Committee on Revenue and Taxation**

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 6

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 11; committee vote: Ayes 7; absent 4.

RICH, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following bills were introduced, and read the first time:

Senate Bill No. 6: By Senator Keating—An act to include the officers and employees of the State Penal System within the State Civil Service and to provide disciplinary procedures governing such officers and employees, or to repeal Sections 6051 and 6052 of, and to add Sections 6051, 6051.2, 6051.4, 6052 and 6052.5 to, the Penal Code for the same purpose.

Referred to Committee on Governmental Efficiency.

Senate Concurrent Resolution No. 7: By Senator Keating—Relative to salaries of State prison guards.

Request for Unanimous Consent

Senator Keating asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to salaries of State prison guards.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah,

Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—35.
 NOES—None.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS

Consideration of Assembly Amendments

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 1 of Article XIII thereof, relating to revenue and taxation.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Constitutional Amendment No. 2?

Amendment No. 1

On page 2 of the printed measure, after line 16, insert

"Every act heretofore done and proceeding heretofore taken by this State or any taxing agency in the State in respect to the taxation of property belonging to the United States, is hereby validated and made legally effective from the date thereof, to the extent it would have been valid and legally effective if done or taken after the adoption of this amendment."

The roll was called, and the Senate concurred in Assembly amendments to Senate Constitutional Amendment No. 2 by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McCormack, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—35.

NOES—None.

Above resolution ordered enrolled.

Consideration of Assembly Amendments

Senate Bill No. 1—An act providing for the reorganization of the State criminal, penal and correctional system, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections

2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Bill No. 1?

Amendment No. 1

On page 1, line 5, of the title of the printed bill, as amended, after "constitution;" insert "modifying and".

Amendment No. 2

On page 3, line 33, of the printed bill, as amended, after "Governor", insert ", but before the director may be removed, charges against him, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the Governor. The Governor may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the director. If the Governor removes the director his action shall be final".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 45 to 49, inclusive, and insert "are invested in the director."

Amendment No. 4

On page 4 of the printed bill, between lines 48 and 49, as amended, insert "One member shall be an attorney-at-law, one have had practical experience in handling adult prisoners, and one a sociologist in training and experience."

Amendment No. 5

On page 6, line 42, of the printed bill, as amended, after the second "of", insert "the director."

Amendment No. 6

On page 6, line 44, of the printed bill, as amended, strike out the second "and three", and insert "two".

Amendment No. 7

On page 6, line 46, of the printed bill, as amended, strike out the period and "The director shall be ex officio"; and strike out all of line 47, and insert "and two members selected from among its members by the State Board of Prison Directors.

The director shall be a member and participate in the functions of the Board of Corrections at all times except that he shall not be a member when the board is considering charges against him or against any warden or superintendent."

Amendment No. 8

On page 6 of the printed bill, as amended, strike out lines 48 and 49, and insert "6026. The Board of Cor-".

Amendment No. 9

On page 6, line 50, of the printed bill, as amended, after "Authority", insert ", the Board of Trustees of the California Institution for Women".

Amendment No. 10

On page 7, line 2, of the printed bill, as amended, strike out "authority".

Amendment No. 11

On page 7, line 18, of the printed bill, as amended, insert

"Chapter 5.5. The State Board of Prison Directors

6035. The director shall advise with the State Board of Prison Directors in the establishment of general policies for the operation and maintenance of the State Prison at San Quentin, the State Prison at Folsom, the California Institution for Men, and any other prison for adult male prisoners, and for the establishment of general policies for the care, custody, treatment, training, discipline, and employment of those confined in such prisons. The State Board of Prison Directors is hereby authorized to render such advice to the director.

6036. The director shall supply the property, supplies, and personnel necessary to enable the State Board of Prison Directors to perform its duties under this chapter.

6037. The State Board of Prison Directors shall prepare written reports for the director, the Governor, and the Legislature."

Amendment No. 12

On page 7, line 22, of the printed bill, as amended, strike out the period and "Each", and insert "and the Superintendent of the California Institution for Women. The superintendent and each".

Amendment No. 13

On page 7, line 23, of the printed bill, as amended, after "director", strike out the period and "The", and insert ", but before a warden or superintendent may be removed by the director, charges against him, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the director. The director may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the warden or superintendent. If the director removes the warden or superintendent his action shall be final. The superintendent and".

Amendment No. 14

On page 7, line 25, of the printed bill, as amended, strike out "All", and insert "From the effective date of this section until January 1, 1945, all".

Amendment No. 15

On page 7 of the printed bill, as amended, strike out lines 40 to 52, inclusive; and on page 8, strike out lines 1 to 4, and insert "The director may fix the compensation of persons appointed or employed under this section.

6052. (a) On January 1, 1945 (hereinafter referred to as the effective date), the provisions of Article XXIV and the term "State Civil Service" shall include all officers and employees who on the effective date are within one of the following three classes:

Class 1. Officers and employees (i) holding positions on September 16, 1940, exempt from civil service under paragraph (11) of subdivision (a) of Section 4 of Article XXIV of the Constitution, (ii) either continuously in the service of the Board of Prison Directors, the wardens, the department or any of them or, if not in such service continuously, the lack of continuity was due to service for which a right to return to the position vacated is granted under the State Civil Service Act, and (iii) holding a position subject to Section 6051 on the effective date.

Class 2. Officers and employees (i) holding positions on September 16, 1940, exempt from civil service under paragraph (11) of subdivision (a) of Section 4 of Article XXIV of the Constitution, (ii) on the effective date absent due to service for which a right to return is granted by the State Civil Service Act, and (iii) otherwise continuously employed in the service of the Board of Prison Directors, the wardens, the department or any of them.

Class 3. Officers and employees (i) who did not hold positions on September 16, 1940, under the Board of Prison Directors, the wardens or either of them, (ii) were appointed or employed subsequent thereto and (iii) on the effective date were either holding a position subject to Section 6051 or absent due to service for which a right to return is granted under the State Civil Service Act.

(b) Class 1 and Class 2 personnel shall be included in the State civil service in permanent positions subject to a probationary period pursuant to subdivision (c) of Section 5 of Article XXIV of the Constitution, the probationary period to begin with respect to Class 2 personnel from the date they resume their position.

(c) Class 3 personnel shall be included in the State civil service in duration positions subject to a probationary period pursuant to subdivision (c) of Section 5 of Article XXIV of the Constitution, the probationary period to begin with respect to personnel returning from war service from the date they resume their position.

(d) An officer or employee, directly or indirectly, entitled to or having permanent status under this section, who is displaced by one having a right of return, shall be accorded the same rights to elect demotion in lieu of layoff granted by Section 172 of the State Civil Service Act as though he had had permanent status at all times in any previous position. An officer or employee who is entitled to or has duration status under this section, who is displaced by one having a right of return, shall be accorded the same rights to elect demotion in lieu of layoff granted by Section 172 of the State Civil Service Act to permanent employees as though he had had permanent status at all times in any previous position, except that he shall not displace any one with permanent status or any one with probation status and eligible for permanent status, and he shall not receive any greater rights than the State Civil Service Act accords to those with duration status.

(e) The State Civil Service Act shall govern with respect to conflicting claims to the same position after the effective date, the same as though the position were at all times subject to civil service.

(f) After the effective date the director shall be the appointing authority for all positions not otherwise provided for and, pursuant to the State Civil Service Act, may employ and fix the compensation for the personnel for such positions.

(g) Appointees of the Governor and persons holding positions designated to be confidential pursuant to paragraph (5) of subdivision (a) of Section 4 of Article XXIV (for the purposes of which paragraph the Adult Authority, the Youth Authority

and the Director of Corrections shall be considered separate boards, commissions and officers) shall remain exempt from civil service.

(h) "Right of return" as used in this section refers to rights expressly provided by the State Civil Service Act to return to a position after military service in time of war or during a period of preparation for National defense or service as a seaman as described in Section 174 of the State Civil Service Act, and refers to rights which may hereafter be granted expressly by the State Civil Service Act to return to a position after service to the Nation."

Amendment No. 16

On page 10 of the printed bill, as amended, strike out line 41; and in line 42, strike out "who shall be a woman and", and insert
"3320. The superintendent shall be a woman,".

Amendment No. 17

On page 11 of the printed bill, as amended, between lines 3 and 4, insert
"The director shall advise with the Board of Trustees of the California Institution for Women in the establishment of general policies for the operation and maintenance of the California Institution for Women and for the establishment of general policies for the care, custody, treatment, training, discipline and employment of those confined in the institution."

Amendment No. 18

On page 13 of the printed bill, as amended, strike out lines 27 and 28, and insert "who shall be appointed by the Adult".

Amendment No. 19

On page 4, line 11, of the printed bill, strike out "may", and insert "must".

Amendment No. 20

On page 4, line 15, of the printed bill, strike out "may", and insert "must".

Amendment No. 21

On page 3 of the printed bill, between lines 26 and 27, insert
"5004. In the administration of the State Criminal, Penal, and Correctional System, no person shall be discriminated against because of race, color, or creed."

Amendment No. 22

On page 2, line 13, of the printed bill, strike out the comma after "women", and insert a period; and strike out "and", and all of line 14.

Amendment No. 23

On page 5 of the printed bill, strike out all of lines 51 and 52.

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 1 by the following vote:

AYES—None.

NOES—Senators Biggar, Breed, Brown, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tickle, and Ward—32.

Appointment of Committee on Conference

MR. PRESIDENT: Your Committee on Rules announces the appointment of Senators Deuel, Mayo, and Dillinger as a Senate Committee on Conference concerning Senate Bill No. 1 to meet a like committee of the Assembly.

SENATE COMMITTEE ON RULES
SEAWELL, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated January 27, 1944, appointing

HERBERT C. JONES, to the Board of Trustees, Agnews State Hospital, vice Dr. E. W. Hitchman;

MRS. MARY HAYWARD, to the Board of Trustees, Agnews State Hospital, vice B. D. Draper;

C. C. COTTRELL, to the Board of Trustees, Agnews State Hospital, vice Charles McDonald;

C. C. POMEROY, to the Board of Trustees, Agnews State Hospital, vice Dr. A. Knudsen;

REV. JOHN J. LAHERTY, to the Board of Trustees, Agnews State Hospital, vice C. V. Shessler;

MAYNARD GARRISON, to Insurance Commissioner, vice Anthony Caminetti, Jr.;
GEORGE H. WILSON, to the California Farm Production Council, representing field crops;

CAMILLE A. GARNIER, to the California Farm Production Council, representing truck crops;

LOREN BAMERT, to the California Farm Production Council, representing livestock;

A. J. McFADDEN, to the California Farm Production Council, representing citrus fruits and walnuts;

W. L. SMITH, to the California Farm Production Council, representing cotton;

FRANK M. SHAY, to the California Farm Production Council, representing deciduous fruits;

JOE HART, to the California Farm Production Council, representing dairy industry;

JAMES A. GUTHRIE, to the California Highway Commission, vice Helen McGregor;

C. ARNHOLT SMITH, to the California Highway Commission, vice Dora Shaw Heffner;

HOMER P. BROWN, to the California Highway Commission;

CHESTER H. WARLOW, to the California Highway Commission, vice W. T. Sweigert;

F. WALTER SANDELIN, to the California Highway Commission, vice self;

HARRISON R. BAKER, to the California Highway Commission, vice Verne Scoggins;

EDGAR E. LAMPTON, to the California Unemployment Insurance Appeals Board;

MICHAEL B. KUNZ, to the California Unemployment Insurance Appeals Board;

HOMER W. BUCKLEY, to the California Unemployment Insurance Appeals Board;

T. H. MUGFORD, to Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission;

JAMES G. BRYANT, to the Department of Employment, Chief of the Division of Public Employment, and member, California Employment Stabilization Commission;

JAMES R. YOCKERS, to State Fire Marshal, vice Jay W. Stevens;

CHARLES M. WOLLENBERG, to the Director of Department of Social Welfare, vice Martha A. Chickering;

KARL W. HOLTON, to Youth Authority, vice self;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointments of the Governor be confirmed.

Committee membership 5; committee vote: Ayes—5.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointments of Herbert C. Jones, Mrs. Mary Hayward, C. C. Cottrell, C. C. Pomeroy, and Rev. John J. Laherty as members of Board of Trustees, Agnews State Hospital.

The President put the question "Will the Senate confirm and consent to the appointments of Herbert C. Jones, Mrs. Mary Hayward, C. C. Cottrell, C. C. Pomeroy, and Rev. John J. Laherty?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuehel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—35.
NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointments of Herbert C. Jones, Mrs. Mary Hayward, C. C. Cottrell, C. C. Pomeroy, and Rev. John J. Laherty as members of the Board of Trustees, Agnews State Hospital.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Seawell moved that the Senate confirm and consent to the appointment of Maynard Garrison of Pasadena as Insurance Commissioner.

The President put the question, "Will the Senate confirm and consent to the appointment of Maynard Garrison?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—33.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Maynard Garrison as Insurance Commissioner.

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR**Motion to Confirm Appointments by the Governor**

Senator Seawell moved that the Senate confirm and consent to the appointments of George H. Wilson, Camille A. Garnier, Loren Bamert, A. J. McFadden, W. L. Smith, Frank M. Shay and Joe Hart as members of the California Farm Production Council.

The President put the question, "Will the Senate confirm and consent to the appointments of George H. Wilson, Camille A. Garnier, Loren Bamert, A. J. McFadden, W. L. Smith, Frank M. Shay, and Joe Hart?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—34.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointments of George H. Wilson, Camille A. Garnier, Loren Bamert, A. J. McFadden, W. L. Smith, Frank M. Shay, and Joe Hart as members of the California Farm Production Council.

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR**Motion to Confirm Appointments by the Governor**

Senator Seawell moved that the Senate confirm and consent to the appointments of James A. Guthrie, C. Arnholt Smith, Homer P. Brown, Chester H. Warlow, F. Walter Sandelin, and Harrison R. Baker as members of the California Highway Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of James A. Guthrie, C. Arnholt Smith, Homer P. Brown, Chester H. Warlow, F. Walter Sandelin, and Harrison R. Baker?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—33.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointments of James A. Guthrie, C. Arnholt Smith, Homer P. Brown, Chester H. Warlow, F. Walter Sandelin, and Harrison R. Baker as members of the California Highway Commission.

CONSIDERATION OF APPOINTMENTS BY THE GOVERNOR

Motion to Confirm Appointments by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointments of Edgar E. Lampton, Michael B. Kunz, and Homer W. Buckley as members of the California Unemployment Insurance Appeals Board.

The President put the question, "Will the Senate confirm and consent to the appointment of Edgar E. Lampton, Michael B. Kunz, and Homer W. Buckley?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—34.

NOES—None.

Appointments Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointments of Edgar E. Lampton, Michael B. Kunz, and Homer W. Buckley as members of the California Unemployment Insurance Appeals Board.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of T. H. Mugford as Chief of the Division of Accounts and Tax Collections, Department of Employment, and member of California Employment Stabilization Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of T. H. Mugford?"

The roll was called with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—33.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of T. H. Mugford as Chief of the Divi-

sion of Accounts and Tax Collections, Department of Employment, and member of California Employment Stabilization Commission.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of James G. Bryant as Chief of the Division of Public Employment, Department of Employment, and member of the California Employment Stabilization Commission.

The President put the question, "Will the Senate confirm and consent to the appointment of James G. Bryant?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—34.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of James G. Bryant as Chief of the Division of Public Employment, Department of Employment, and member of the California Employment Stabilization Commission.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of James R. Yockers of Los Angeles as State Fire Marshal.

The President put the question, "Will the Senate confirm and consent to the appointment of James R. Yockers?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Swan, Tickle, and Ward—31.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of James R. Yockers as State Fire Marshal.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR

Motion to Confirm Appointment by the Governor

Senator Seawell moved that the Senate confirm and consent to the appointment of Charles M. Wollenberg as Director of the Department of Social Welfare.

The President put the question, "Will the Senate confirm and consent to the appointment of Charles M. Wollenberg?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Carter, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—30.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Charles M. Wollenberg as Director of the Department of Social Welfare.

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Seawell moved that the Senate confirm and consent to the appointment of Karl W. Holton as a member of the Youth Authority. The President put the question, "Will the Senate confirm and consent to the appointment of Karl W. Holton?"

The roll was called, with the following result:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McBride, Mixer, Parkman, Quinn, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—32.

NOES—None.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Karl W. Holton as a member of the Youth Authority.

REQUEST FOR UNANIMOUS CONSENT

Senator Dillinger asked for, and was granted, unanimous consent to take up Assembly Bill No. 6, at this time, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 6

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Dillinger:

Resolved, That Assembly Bill No. 6 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second time.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Luckey, Mayo, McCormack, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—31.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Motion to Amend

Senator Dillinger moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the Revenue and"; and strike out line 2 of the title, and insert " , and to add Section 4653.5 to, the Revenue and

Taxation Code, relating to taxation of property belonging to the United States and receipt of payments in lieu of such taxation."

Amendment No. 2

On page 2 of said bill, after line 15, insert

"SEC. 3. Section 4653.5 is added to said code, to read:

4653.5. The county auditor is authorized to accept payments in lieu of taxes, other than city taxes, on property which belongs to the United States and is exempt from taxation. Unless otherwise prescribed by the agency making such payment(s) the amounts received shall be distributed as are amounts received in payment of taxes."

Amendment No. 3

On page 2, line 16, of said bill, after "SEC.", strike out "3", and insert "4".

Amendment No. 4

On page 2, line 21, of said bill, after "Constitution," insert "Sections 1 and 2".

Amendments read and adopted.

Bill ordered printed, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Shelley asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9

Assembly Concurrent Resolution No. 9—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of November, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, Dillinger, Donnelly, Fletcher, Gordon, Jepsen, Judah, Kuchel, Mayo, McBride, McCormack, Parkman, Salsman, Seawell, Shelley, Swan, Swing, Tenney, Tickle, and Ward—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Resolution No. 15, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 15

By Senator Powers:

Senate Resolution No. 15

WHEREAS, There has been submitted to the Legislature at this special session the question of taxation by the State of California of Federal property located within the State or the receipt of payments in lieu of such taxation; and

WHEREAS, It will be necessary to amend the Constitution of the State of California before it will be possible to tax any such property of the United States in the State of California; and

WHEREAS, It appears that it will be advisable for the Legislature to have before it at the next regular session such information concerning the taxation of Federal property or securing of payments in lieu of such taxation as will enable the Legislature to enact such legislation as may be necessary to accomplish such purpose; now, therefore, be it

Resolved, That a Senate Interim Committee on Taxation of Federal Property is hereby created. The committee shall consist of five members and shall be appointed by the Committee on Rules; and be it further

Resolved, That it shall be the duty of this committee to make a study of all problems which may arise in connection with the taxation of Federal property within the State of California, or the receipt of payments in lieu of such taxation, to study the best

means of accomplishing such purpose, and to report to the Senate at the Fifty-sixth Session its recommendations with reference to such problem; and be it further

Resolved, That said committee shall have and may exercise all of the powers conferred upon legislative committees by Article 8, Chapter 2, Title 1, Part 3, of the Political Code, by Sections 9400 to 9412 of the Government Code, and by the Joint Rules and Senate Rules; and be it further

Resolved, That said committee shall have power:

(1) To select a vice chairman from its membership and to employ and fix the compensation of a secretary and such clerical, expert and technical assistants as it may deem necessary;

(2) To create subcommittees from its membership, assigning to the subcommittee any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee, which powers may be withdrawn or terminated at any time by the committee;

(3) To adopt and from time to time amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate;

(4) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created;

(5) To hold public hearings at any place in California, at which hearings the people are to have an opportunity to present their views to the committee;

(6) To make a complete study, survey and investigation of every phase of the subject of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in anywise bearing on the subject matter of this resolution;

(7) To meet at any time during this session of the Legislature or after the final adjournment thereof;

(8) To report to this Senate at any time prior to final adjournment of the Fifty-sixth Regular Session of the Legislature;

(9) To summon and subpoena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and procure testimony;

(10) To do any and all things necessary to carry out the purposes and intent of this resolution; and be it further

Resolved, That the Sergeant-at-Arms of the Senate or other officers designated by him, are hereby directed to serve any and all subpoenas, orders and other process issued by the committee, when directed so to do by the chairman or by a majority of the membership of the committee; and be it further

Resolved, That every department, commission, board, agency, officer and employee of the State Government and of any political subdivision, county, city, or public district of or in this State shall furnish the committee and any subcommittee, upon request, any and all such assistance, and information, records and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created; and be it further

Resolved, That the members of the committee shall serve without compensation but shall be allowed mileage at the rate of five and one-half cents (\$0.05½) per mile each way incurred in connection with their services upon the committee and other actual and necessary expenses for living accommodations and meals, incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals an allowance of ten dollars (\$10) per day; and be it further

Resolved, That the sum of four thousand dollars (\$4,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Senate for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Cunningham, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Jespersen, Judah, Keating, Kuchel, Mayo, McBride, McCormack, Parkman, Rich, Salsman, Seawell, Shelley, Swan, Swing, Tenney, Tickle, and Ward—27.

NOES—None.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 12

Assembly Joint Resolution No. 13

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 12—Relating to the prevention of undue hardship on California industries.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 12, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 12

Assembly Joint Resolution No. 12—Relating to the prevention of undue hardship on California industries.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Dillinger, Donnelly, Fletcher, Gordon, Jespersen, Judah, Kuchel, Mayo, McBride, McCormack, Parkman, Rich, Salsman, Seawell, Shelley, Swan, Swing, Tenney, and Ward—26.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 13—Relating to termination of war contracts.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 13, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 13

Assembly Joint Resolution No. 13—Relating to termination of war contracts.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, Deuel, Dillinger, Fletcher, Gordon, Hatfield, Jespersen, Judah, Kuchel, Mayo, McBride, Parkman, Salsman, Seawell, Swan, Swing, Tenney, and Ward—23.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was read the first time:

Assembly Bill No. 7—An act making an appropriation for expenses of members of the Assembly pursuant to Section 352 of the Political Code.

Request for Unanimous Consent

Senator Swing asked for, and was granted, unanimous consent to take up Assembly Bill No. 7, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILL NO. 7**Resolution to Suspend Constitutional Provision**

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 7 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, and Ward—34.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 7—An act making an appropriation for expenses of members of the Assembly pursuant to Section 352 of the Political Code.

Bill read second time.

Assembly Bill No. 7—An act making an appropriation for expenses of members of the Assembly pursuant to Section 352 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McCormack, Mixter, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, and Ward—33.

NOES—None.

Bill ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following bill was introduced, and read the first time:

Senate Bill No. 7: By Senators Dillinger, Rich, Seawell, and Collier—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to revenue and taxation, proposed by the Legislature.

Referred to Committee on Elections.

REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 8, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 8

Senate Joint Resolution No. 8—Relative to memorializing Congress to enact legislation to enable the transmission by air of election ballots and returns to and from locations where men of the armed forces may be stationed.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Carter, Collier, Crittenden, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Jespersen, Judah, Keating, Kuehl, Luckey, Mayo, McBride, McCormack, Parkman, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, and Ward—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS

The following resolution was offered:

By Senator Hatfield:

Senate Resolution No. 18

WHEREAS, On December 20, 1943, the California State Board of Agriculture passed the following resolution:

"Whereas, it will be the responsibility of military authorities to determine the duration of that period of military necessity on the ground of which they decided early in 1942 to evacuate persons of Japanese ancestry from the Pacific coast.

"Therefore be it resolved that if and when the military authorities shall decide that military necessity no longer requires that persons of Japanese ancestry shall be excluded from this State, the California State Board of Agriculture in the light of that decision will use its influence to assure that race prejudice shall not jeopardize the lawful participation of this or any other group in the agricultural life and industry of the State."

And

WHEREAS, The fact that said resolution did not represent the views of the great body of agriculture in this State is demonstrated by the subsequent action of the board rescinding the adoption of said resolution by a vote of five to one; and

WHEREAS, The refusal of the one member who cast the negative vote to conform to the wishes of agriculture demonstrates that she is absolutely unqualified for membership on the board; now, therefore, be it

Resolved by the Senate of the State of California, That the Governor and all future Governors of this State are requested to obey both the letter and spirit of the laws governing the making of appointments to the California State Board of Agriculture, to the end that said body shall be totally representative and in sympathy with the interests of agriculture.

Resolution read, and unanimously adopted.

REPORTS OF STANDING COMMITTEES**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Senate Resolution No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

Committee membership 9; committee vote: Ayes 7; absent 2.

QUINN, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Shelley asked for, and was granted, unanimous consent to take up Senate Resolution No. 14, at this time, for purpose of adoption of the amendments.

CONSIDERATION OF SENATE RESOLUTION NO. 14

Senate Resolution No. 14—Relating to memorializing Congress urging the enactment of a Federal Absentee Voters Law covering Servicemen and Servicewomen.

Motion to Amend

Senator Shelley moved the adoption of the following amendment:

Amendment No. 1

After the first paragraph, beginning with the word "Resolved", insert

"*Resolved*, That the Congress be memorialized to instruct the Federal agency authorized to distribute and collect the uniform Federal ballot to cooperate with those several States which have set up a system for the taking of a Soldier's vote to the end that no individual receives two ballots; and be it further".

Amendment read and adopted.

Resolution ordered printed in Journal, as amended.

Senate Resolution No. 14, as Amended

By Senators Shelley, Swan, Keating, Powers, Dorsey, and Burns:

Senate Resolution No. 14

Relating to memorializing Congress urging the enactment of a Federal Absentee Voters Law covering servicemen and servicewomen

WHEREAS, Approximately 10,000,000 citizens are now in the military services and Merchant Marine of the United States; and

WHEREAS, The vast majority of these American citizens are eligible to vote; and
WHEREAS, Our Service Men are now fighting in a global war to maintain our form of government; and

WHEREAS, It is necessary for the success of that governmental system that the vote of the people be truly representative; and

WHEREAS, Those in the military forces and Merchant Marine should be given the maximum opportunity for voting; and

WHEREAS, Several States have enacted statutes varying in their provisions, while other States have wholly neglected to provide any procedures for voting by members of the services; and

WHEREAS, There is an imperative need for adequate, uniform machinery for absentee balloting by our military and Merchant Marine personnel; and

WHEREAS, The Federal Soldier Voting Law now in effect is not satisfactory; now, therefore, be it

Resolved by the Senate of the State of California, That the Congress be memorialized to pass such legislation as will set up a simplified uniform ballot distributed by Federal authorities and that such ballots be distributed to the members of the armed services and to the Merchant Marine; and be it further

Resolved, That the Congress be memorialized to instruct the Federal agency authorized to distribute and collect the uniform Federal ballot to cooperate with those several States which have set up a system for the taking of a Soldier's vote to the end that no individual receives two ballots; and be it further

Resolved, That the Secretary of the Senate be hereby ordered to forward copies of this resolution to the President and Vice President of the United States, to the Secretary of War, to the Secretary of the Navy, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to recede from Assembly amendments to

Senate Bill No. 1—An act providing for the reorganization of the State criminal, penal and correctional system, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

And appointed Messrs. Fourt, Field, and Johnson as a Committee on Conference concerning said bill.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 5

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 10

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

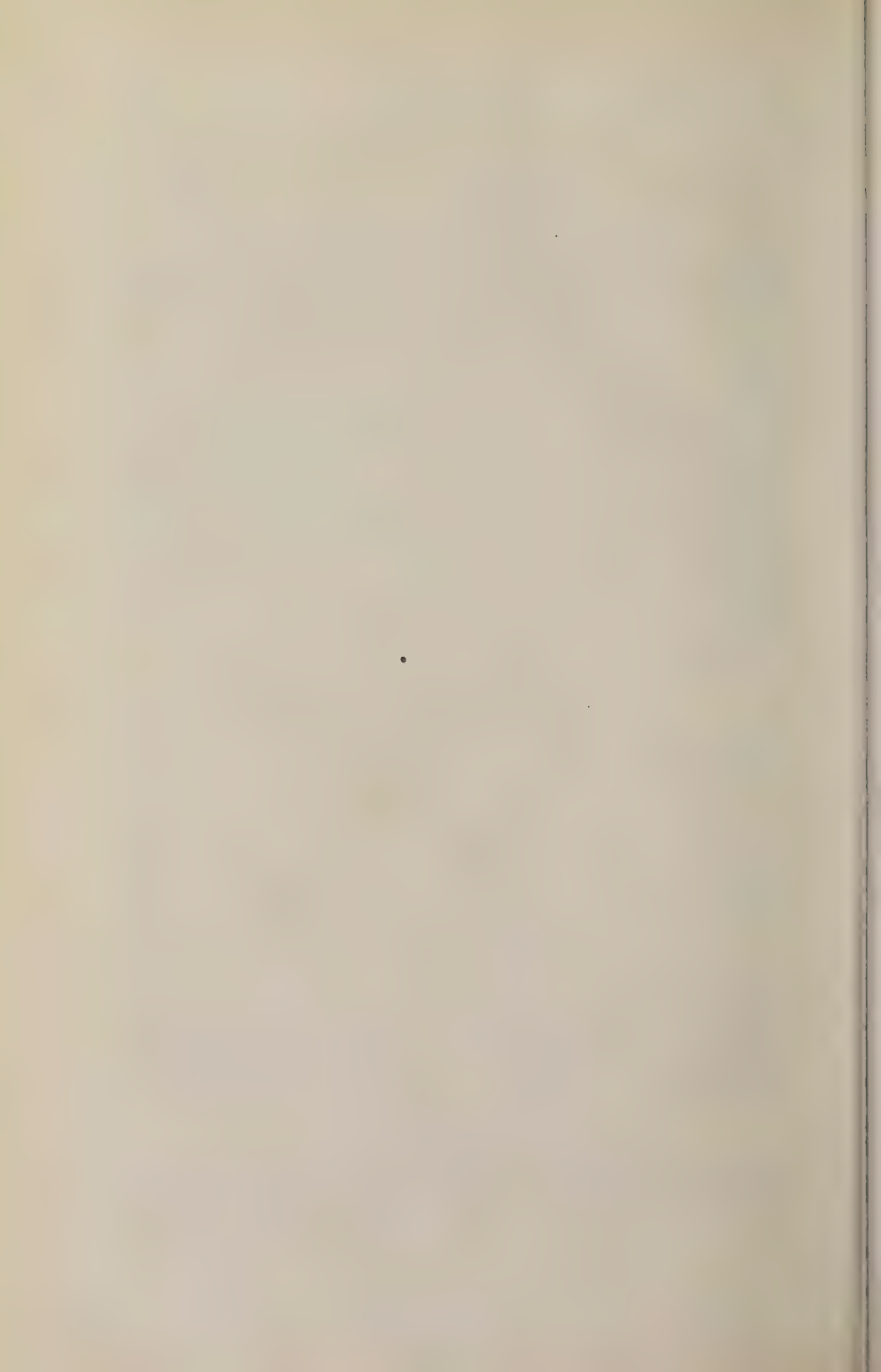
Assembly Joint Resolution No. 10—Relative to memorializing the President and the Congress of the United States with reference to Japanese internees.

Referred to Committee on Military and Veterans Affairs.

ADJOURNMENT

At 5.35 p.m., on motion of Senator Seawell, the President declared the Senate adjourned until 11 a.m., Monday, January 31, 1944.

JOHN F. LEA, Minute Clerk



CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

FIFTH LEGISLATIVE DAY
FIFTH CALENDAR DAY

IN SENATE

SENATE CHAMBER, SACRAMENTO
Monday, January 31, 1944

The Senate met at 11 a.m.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, presiding.

Secretary J. A. Beek at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—35.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Father Richard C. Dwyer.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Margaret Mathewson of 348 Euclid Avenue, Oakland.

On request of Senator McBride, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary Malone, and Annette Shockley of Riverside; Marjorie Hawthorne of Santa Ana; Ethel Winters of Sacramento; Leora Warren and Hazel Schumacker of Modesto; Alberta Wallace of Long Beach; United Association of Cosmetologists.

On request of Hon. Frederick F. Houser, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Carl Cotter, wife of Admiral Carl Cotter; Mrs. Jules Ziegemier, wife of the late Admiral Ziegemier; and Mrs. Belle Kelly, Social Director of Palace Hotel, San Francisco.

On request of Senator Donnelly, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leslie A. Cleary,

District Attorney of Stanislaus County; K. Knudsen, Executive Secretary, Stanislaus County Defense, Modesto.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Norma Marquis, teacher, and the following students of the Stockton High School: Bob Stein, Ann Neilson, Ann Passadone, and Mary Borelli.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 16

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS

The following bills were read the first time:

Assembly Joint Resolution No. 16—Relative to the hospitalization of veterans.

Referred to Committee on Military and Veterans Affairs.

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 3720, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7842.5, 7964.5, 7971.5, and 7972.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections.

President of the Senate Presiding

At 11.15 a.m., Hon. Frederick F. Houser, President of the Senate, presiding.

RESOLUTIONS

The following resolution was offered:

By Senator Salsman:

Senate Resolution No. 19

WHEREAS, It appears that the employees engaged in the service of the State in various hospitals and other institutions enjoy fewer holidays in the year than do State employees generally; and

WHEREAS, We realize that there are difficult problems involved in according to the faithful employees serving in our various institutions the identical holidays enjoyed by other State employees, problems due in part to the need of continuous care and supervision of the inmates and in part to the existing manpower situation and the shortage of available personnel, problems that call for thorough and searching study and analysis if a just and equitable solution is to be found; now, therefore, be it

Resolved by the Senate of the State of California, That the State Personnel Board is hereby requested at once to enter upon such a study, conduct the study with all possible expedition, and upon ascertaining a remedy to put the remedy into force and effect to the extent that such may be within the board's power to do, and then to report

thereon to the Governor not later than the next meeting of the Legislature, including in its report such recommendations as it may have concerning legislation needed for the complete accomplishment of the objects and purposes herein expressed; and be it further

Resolved, That the Secretary of the Senate is instructed forthwith to transmit copies of this resolution to the Governor and to the members of the State Personnel Board.

Resolution read, and unanimously adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF SENATE BILLS

The following resolution was offered:

Senate Concurrent Resolution No. 8: By Senator Tickle—Relative to the death of Hon. Carl C. Baker.

Request for Unanimous Consent

Senator Tickle asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

Senate Concurrent Resolution No. 8—Relative to the death of Hon. Carl C. Baker.

Resolution read, and adopted by a rising vote of the following Senators:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Joint Resolution No. 6

Senate Joint Resolution No. 2

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered to unfinished business file.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 14

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 15

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 14—Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news.

Request for Unanimous Consent

Senator Tenney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 14, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 14

Assembly Joint Resolution No. 14—Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, DeLap, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Mixter, Parkman, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—21.

NOES—Senators Carter, Cunningham, Judah, Luckey, McBride, Powers, and Quinn—7.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 5—Relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipments suitable for civilian use to United States veterans of the present conflict, to cities and counties and to the State Departments of Education at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary.

Request for Unanimous Consent

Senator Gordon asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 5, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5

Assembly Joint Resolution No. 5—Relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipments suitable for civilian use to United States veterans of the present conflict, to cities and counties and to the State Departments of Education at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 15—Relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring.

Request for Unanimous Consent

Senator Hatfield asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 15, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 15

Assembly Joint Resolution No. 15—Relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Dillinger, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tickle, and Ward—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Concurrent Resolution No. 9: By Senator Seawell—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California.

Request for Unanimous Consent

Senator Seawell asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, for consideration.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Dillinger, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, Tickle, and Ward—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

RECESS

At 11.40 p.m., on motion of Senator Seawell, the Senate recessed until call of the chair.

REASSEMBLED

At 12.10 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Elections

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Elections, to which was referred:

Assembly Bill No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

Committee membership 7; committee vote: Ayes 7.

BREED, Chairman

Request for Unanimous Consent

Senator Breed asked for, and was granted, unanimous consent to take up Assembly Bill No. 3, at this time, for consideration.

CONSIDERATION OF ASSEMBLY BILL NO. 3

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 3 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—35.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 3720, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7842.5, 7964.5, 7971.5, and 7972.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Sections 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Senator Breed moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended, between lines 43 and 44, insert "Sec. 7. Section 132.5 of said code as added by Chapter 865, Statutes of 1943, is repealed."

Amendment No. 2

On page 4, line 12, of said bill, strike out "he", and insert "the affiant".

Amendment No. 3

On page 4, lines 15 and 16, of said bill, strike out "so applying who are or will be temporarily absent from their home precinct", and insert "applying for them".

Amendment No. 4

On page 5, line 18, of said bill, strike out the comma.

Amendment No. 5

On page 5, line 19, of said bill, after "envelope", insert a comma.

Amendment No. 5a

On page 7, line 31, of said bill, strike out "90", and insert "100".

Amendment No. 6

On page 9, line 3, of said bill, strike out "filed", and insert "filled".

Amendment No. 7

On page 9, line 15, of said bill, strike out "unles", and insert "unless".

Amendment No. 8

On page 9, line 24, of said bill, strike out "less than 100 nor more", and insert "more than 100 nor less".

Amendment No. 9

On page 9 of said bill, between lines 32 and 33, insert

"SEC. 39.5. Section 3720 is added to said code, to read:

3720. Notwithstanding any provision of this code relating to the form, size, weight, and content of the ballot for either the presidential primary, the direct primary, or the general election, the Secretary of State, at any time prior to the seventieth day prior to the election, may prescribe, in his discretion, a form of ballot for use by absent voters at any of said elections and may reduce the size and weight of the ballot and, in such manner as to facilitate the transmission of the ballot by mail to war voters, rearrange the form of the ballot, and rearrange, without elimination or addition, the content thereof. He may also provide uniform envelopes for use in absent voting, and, upon the request of a clerk, may purchase such envelopes, the expenses thereof to be paid from the revolving fund created by Section 3704 of this code. Reimbursement shall be made as provided in said section."

Amendment No. 10

On page 11 of said bill, strike out lines 37 to 52, inclusive.

Amendment No. 11

On page 12, lines 45 and 46, of said bill, strike out "for the candidates of more than one political party, or".

Amendments read and adopted.

Bill ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 5; committee vote: Ayes 4; noes 1.

SEAWELL, Chairman.

RECESS

At 12.18 p.m., on motion of Senator Seawell, the Senate recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Senate reconvened.

Hon. Frederick F. Houser, President of the Senate, presiding.

Secretary J. A. Beek at the desk.

REPORTS OF STANDING COMMITTEES**Committee on Governmental Efficiency**

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Constitutional Amendment No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Senate without action.

Committee membership 11; committee vote: Ayes 8; absent 3.

SWING, Chairman

Above reported resolution ordered to second reading.

SECOND READING OF SENATE BILLS (OUT OF ORDER)

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 7 of Article X thereof, relating to the power of the Legislature over the Criminal, Penal, and Correctional System of the State.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency:

Amendment No. 1

On page 1, line 12, of the printed measure, after "any", insert "such".

Amendment No. 2

On page 2, line 2, of the printed measure, after "of", insert "any such".

Amendments read and adopted.

Resolution ordered printed, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Elections

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Elections, to which was referred:

Senate Bill No. 7

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

Committee membership 7; committee vote: Ayes 6; absent 1.

BREED, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Senator Breed asked for, and was granted, unanimous consent to take up Senate Bill No. 7, at this time, for consideration.

CONSIDERATION OF SENATE BILL NO. 7

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Senator Breed:

Resolved, That Senate Bill No. 7 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Burns, Crittenden, DeLap, Deuel, Donnelly, Fletcher, Gordon, Hatfield, Jepsen, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Quinn, Rich, Salsman, Seawell, Slater, Swan, Swing, Tenney, and Ward—29.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to

submit to the electors of California an amendment to the Constitution of the State relating to revenue and taxation, proposed by the Legislature.

Bill read second time.

Above bill ordered placed on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: The Committee on Rules appoints the following Senators members of the committee authorized under Senate Resolution No. 15:

Senators Powers, Shelley, Judah, Dillinger, and Cunningham.

SEAWELL, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

Committee membership 11; committee vote: Ayes 8; absent 3.

SWING, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Swing asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

Assembly Concurrent Resolution No. 10—Relative to pay scales of State employees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Burns, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Quinn, Rich, Seawell, Slater, Swan, Swing, Tenney, and Ward—27.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1—An act providing for the reorganization of the State criminal, penal and correctional system, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article

1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 4

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 6

Assembly Concurrent Resolution No. 12

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Concurrent Resolution No. 12—Relative to encouraging industry to mobilize its resources and capacities to build the West and its empire.

Request for Unanimous Consent

Senator Mayo asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 12, at this time, for consideration.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12

Assembly Concurrent Resolution No. 12—Relative to encouraging industry to mobilize its resources and capacities to build the West and its empire.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Burns, Crittenden, Cunningham, Deuel, Donnelly, Fletcher, Gordon, Jespersen, Judah, Keating, Kuebel, Mayo, McBride, McCormack, Parkman, Rich, Seawell, Shelley, Swan, Swing, Tenney, and Ward—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 6—Relative to standard time.

Without reference to committee, ordered held at desk.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: The Committee on Conference concerning:

Senate Bill No. 1—An act providing for the reorganization of the State criminal, penal and correctional system, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3220, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of, and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on January 29, 1944, be further amended as follows:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on January 29, 1944, after "Women", insert ", and the Youth Authority".

Amendment No. 2

On page 3 of said bill, strike out lines 32 to 34, inclusive.

Amendment No. 3

On page 6 of said bill, between lines 15 and 16, insert

"6000. There is in the Department of Corrections the Youth Authority."

Amendment No. 4

On page 8, line 10, of said bill, before "shall", insert "and with the advice and consent of the Senate,".

Amendment No. 5

On page 8 of said bill, strike out lines 25 to 33, inclusive, and insert "uary 1, 1945, all persons heretofore serving in positions exempt from civil service under paragraph (11) of subdivision (a) of Section 4 of Article XXIV of the Constitution, except the wardens, engaged in the performance of a function transferred to the department or engaged in the administration of a law, the administration of which is transferred to the department, are hereby transferred to the department on the effective date of this section, and shall continue to be exempt from civil service under said paragraph, as appointees or employees of a warden, and subject to removal by the director."

Amendment No. 6

On page 9, line 17, of said bill, strike out "in time of war".

Amendment No. 7

On page 9 of said bill, between lines 33 and 34, insert

"Class 4. Officers and employees (i) who did not hold positions on September 16, 1940, under the Board of Prison Directors, the wardens or either of them, (ii) were appointed or employed subsequent thereto after their qualifications had been ascertained and determined by written examination given by the State Personnel Board and (iii) on the effective date were either holding a position subject to Section 6051 or absent due to service for which a right to return is granted under the State Civil Service Act."

Amendment No. 8

On page 9, line 34, of said bill, strike out "and Class 2", and insert ", Class 2 and Class 4".

Amendment No. 9

On page 9, line 39, of said bill, after "position", insert "and with respect to Class 4 personnel returning from war service from the date they resume their position".

Amendment No. 10

On page 10, line 27, of said bill, strike out "as used in this section refers", and insert "and "right to return" as used in this section refer".

Amendment No. 11

On page 10 of said bill, strike out lines 35 to 40, inclusive, and insert

"6053. All persons other than temporary appointees heretofore serving in the State civil service and engaged in the performance of a function transferred to the department or engaged in the administration of a law, the administration of which is transferred to the department, shall remain in the State civil service and are hereby transferred to the department on the effective date of this section, and their status, positions and rights shall not be affected by their transfer and shall continue to be retained by them pursuant to".

Amendment No. 12

On page 14, line 36, of said bill, after "bureau", insert "; provided, that no investigation of the acts or conduct of any State agency or State official shall be initiated or made through or by the bureau or any employee thereof, without the authorization of the Attorney General particularly specifying the office, department or person to be investigated and the scope and purposes of the investigation".

DEUEL
DILLINGER
MAYO

FOURT
FIELD
JOHNSON

Senate Committee on Conference

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Crittenden, DeLap, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Kuchel, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Shelley, Slater, Swan, Swing, Tickle, and Ward—33.

NOES—Senators Collier, Seawell, and Tenney—3.

Senate Bill No. 1 ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: The Committee on Rules, to which was referred the message from the Governor dated January 27th, 1944, appointing

JULIAN ALCO, to the State Board of Prison Directors, vice self;

Has had the same under consideration, and respectfully reports the same back, and recommends that the appointment of the Governor be confirmed.

Committee membership 5; committee vote: Ayes 3; Noes 2.

SEAWELL, Chairman

CONSIDERATION OF APPOINTMENT BY THE GOVERNOR**Motion to Confirm Appointment by the Governor**

Senator Seawell moved that the Senate confirm and consent to the appointment of Julian Alco as a member of State Board of Prison Directors.

The President put the question, "Will the Senate confirm and consent to the appointment of Julian Alco?"

The roll was called, with the following result:

AYES—Senators Breed, Burns, Collier, DeLap, Deuel, Dillinger, Fletcher, Gordon, Jespersen, Judah, Kuchel, Mixer, Parkman, Quinn, Rich, Salsman, Slater, Swan, Swing, Tickle, and Ward—21.

NOES—Senators Biggar, Carter, Crittenden, Donnelly, Dorsey, Hatfield, Keating, Luckey, Mayo, McBride, Seawell, Shelley, and Tenney—13.

Appointment Confirmed

Whereupon the President announced that the Senate had confirmed and consented to the appointment of Julian Alco as a member of the State Board of Prison Directors.

RESOLUTIONS

The following resolutions were offered:

By Senator Collier:

Senate Resolution No. 20

WHEREAS, There has recently been published a complete and comprehensive set of Codes and General Laws of the State of California, including legislative enactments of 1943; and

WHEREAS, Publishers of said volumes have quoted the Senate a price of approximately 40 per cent less than the list price for this revised set of codes; and

WHEREAS, The increased convenience which will accrue to the Members of the Senate by virtue of the possession of this readily available and authentic source of information will greatly facilitate and expedite the transaction of legislative business; now, therefore, be it

Resolved, That the Secretary of the Senate be and he is hereby instructed to order for the Senate and the members thereof sets of the latest edition of the Codes and General Laws; and be it further

Resolved, That the Controller be directed to draw his warrant on the Contingent Fund of the Senate in a sum of thirty-five hundred dollars (\$3,500) in favor of the Secretary of the Senate, and the Treasurer is hereby directed to pay the same to pay for said Codes and General Laws.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Rich, Salsman, Shelley, Swan, Tenney, Tickle, and Ward—31.

NOES—Senator Gordon—1.

By Senator Tickle:

Senate Resolution No. 21

Resolved, That the President of the Senate appoint a Committee of Three Senators to attend the funeral of the late Honorable Carl C. Baker, which funeral will take place at Salinas, California, on Wednesday, February 2, 1944; and be it further

Resolved, That the Secretary of the Senate be directed to order a floral piece for said funeral; and be it further

Resolved, That the members of this committee be allowed their necessary traveling expenses, if any, in connection with the performance of their duties as members of this committee and that the Controller be and he is hereby ordered to draw his warrant on the Contingent Fund of the Senate in a sum not to exceed fifty dollars (\$50) in favor of the Secretary of the Senate, and the Treasurer is directed to pay the same, a part of which sum shall be paid to the members of the committee upon the certification to the Secretary of the Senate of expenses necessarily incurred.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Collier, Crittenden, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, Mixer, Parkman, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, and Tickle—28.

NOES—None.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Tickle, Chairman; Salsman, and Judah as a Committee from the Senate to attend the funeral of the late Carl C. Baker.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF SENATE BILLS (RESUMED)**

The following resolution was offered:

Senate Joint Resolution No. 9: By Senators Hatfield, Quinn, Slater, Dorsey, and Donnelly—Relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war.

Referred to Committee on Military and Veterans Affairs.

REPORTS OF STANDING COMMITTEES**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which were referred:

Senate Joint Resolution No. 9

Assembly Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: **Be adopted.**

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 9, at this time, for consideration.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

Senate Joint Resolution No. 9—Relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR UNANIMOUS CONSENT

Senator Quinn asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 16, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 16

Assembly Joint Resolution No. 16—Relative to the hospitalization of veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Gordon, Jespersen, Judah, Keating,

Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Shelley, Slater, Swan, Tenney, Tickle, and Ward—32.

NOES—None.

Resolution ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS (OUT OF ORDER)

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to revenue and taxation, proposed by the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, DeLap, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McBride, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—30.

NOES—None.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Joint Resolution No. 2—Relative to increase of price of crude petroleum.

The question being: Shall the Senate concur in the following Assembly amendments to Senate Joint Resolution No. 2?

Amendment No. 1

On page 1 of the printed measure, strike out all of lines 6 to 19, inclusive.

Amendment No. 2

On page 1 of said measure, strike out lines 23 to 29, inclusive.

Amendment No. 3

On page 2 of said measure, strike out lines 1 to 4, inclusive, and insert "WHEREAS, Current production costs of oil have increased; and".

Amendment No. 4

On page 2 of said measure, strike out lines 9 to 13, inclusive.

Amendment No. 5

On page 2 of said measure, strike out lines 19 to 32, inclusive.

Amendment No. 6

On page 2, line 35, of said measure, after "by", insert "substantially".

Amendment No. 7

On page 2 of said measure, strike out line 36, and in line 37, strike out "per barrel", and insert "oil, crude oil, and crude oil products produced in California";.

Amendment No. 8

On page 2, line 41, of said measure, after "oil", insert "and crude oil products".

Amendment No. 9

On page 2, line 41, of said measure, after "California", strike out the balance of line 41 and all of lines 42 to 44, inclusive, and insert "; and be it further".

The roll was called, and the Senate concurred in Assembly amendments to Senate Joint Resolution No. 2 by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, Deuel, Donnelly, Dorsey, Fletcher, Gordon, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Slater, Tenney, Tickle, and Ward—29.

NOES—None.

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 3720, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7842.5, 7964.5, 7971.5, and 7972.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—33.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Dorsey, Gordon, Jespersen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, Tickle, and Ward—33.

NOES—None.

Bill ordered transmitted to the Assembly.

Call of the Senate

Senator Seawell moved a call of the Senate.

Motion carried.

Time, 3.35 p.m.

The President directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

PROCEEDINGS UNDER CALL OF THE SENATE

RESOLUTIONS

The following resolution was offered:

By Senator Powers:

Senate Resolution No. 22

WHEREAS, There is great public interest in the meetings of the different Interim Committees; and

WHEREAS, It is difficult for those interested to follow the meetings of these committees which meet in many different cities in the State; and

WHEREAS, It would be of great assistance to Members of the Legislature and persons interested in the proceedings of these committees to have information of these meetings made available in some central place; now, therefore, be it

Resolved, That the chairman of each Interim Committee be and he is hereby requested to notify the Secretary of the Senate as to the date and place of future meetings of his committee which will be open to the public, and he is further requested that such notice be given at a reasonable time prior to the contemplated meeting.

Resolution read, and unanimously adopted.

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Joint Resolution No. 6—Relative to memorializing the President and Congress of the United States in relation to discharge of disabled veterans from the armed forces.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Joint Resolution No. 6?

Amendment No. 1

On page 2 of the printed measure, strike out lines 11 to 15, inclusive, and insert "To provide veterans at the time of their discharge with all necessary records and proof required for veteran administration action on compensable disability incurred in service."

The roll was called, and the Senate concurred in Assembly amendment to Senate Joint Resolution No. 6 by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, Donnelly, Hatfield, Keating, Luckey, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Tenney, and Ward—23.

NOES—None.

Senate Joint Resolution No. 6 ordered enrolled.

REPORTS OF STANDING COMMITTEES**Committee on Military and Veterans Affairs**

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Joint Resolution No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

Committee membership 9; committee vote: Ayes 5; absent 4.

QUINN, Chairman

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 2—Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military and Veterans Affairs:

Amendment No. 1

In the title of the printed resolution, strike out lines 2, 3, and 4, and insert "Congress to enact legislation providing a Bill of Rights for veterans of World War II."

Amendment No. 2

On page 1, line 2, of the said resolution, strike out "and Merchant Marine".

Amendment No. 3

On page 1, line 5, of the said resolution, strike out ", service-"; and strike out lines 6 to 16, inclusive, and insert "and Service Women; and".

Amendment No. 4

On page 1, line 18, of the said resolution, strike out "and Merchant Marine".

Amendment No. 5

On page 1, line 21, of the said resolution, strike out "and", and insert "now, therefore be it".

Amendment No. 6

On page 1 of the said resolution, strike out lines 22 to 25, inclusive.

Amendment No. 7

On page 2 of the said resolution, strike out lines 3 to 12, inclusive, and insert "ized to enact that program for benefit to veterans of World War II proposed by S. 1617, by Senator Clark and others, and H.R. 3917, by Representative Rankin and others, now pending in the Congress of the United States, which bills embody the program of the American Legion, known as the "Bill of Rights" for men and women now in the armed services; and be it further".

Amendments read and adopted.

Resolution ordered printed, and to third reading.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Joint Resolution No. 2—Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Carter, Crittenden, Cunningham, DeLap, Deuel, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Luckey, Mayo, McBride, Mixter, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, and Ward—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

MOTION TO PRINT IN JOURNAL

Senator Seawell moved that the following report of the Governor concerning certain proclamations be printed in the Journal:

Motion carried.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO (14), January 31, 1944

To the Senate of the State of California

In accordance with the requirement of Sec. 17 of Chap. 229, Stats. of 1943, I hereby report to the Legislature the provisions of certain proclamations issued by me since adjournment of your last session. These proclamations were issued pursuant to Sections 4 and 15 of Chap. 229 (generally known as the Blackout and Dimout Law) and represent changes made in and supplements to existing laws and regulations recommended by the State War Council after study, investigation or hearing made by it and the staff of the State Director of Civilian Defense, and with the full concurrence and approval in each instance of the Commanding General of the Western Defense Command.

My office and the State War Council have consistently received the earnest and complete cooperation and assistance at all times from the Commanding General and his staff, as well as from the Ninth Regional Civilian Defense Board and the Regional Director of the Office of Civilian Defense.

Attached hereto are copies of the proclamations mentioned, six in number. For the purpose of distinguishing them from other proclamations, they have been designated as "War Powers Proclamations."

War Powers Proclamations Nos. 1 and 2 were issued May 19, 1943. No. 1 established air raid precautions for railroads—a subject not theretofore covered by law.

No. 2 extended for 60 days the life of blackout driving permits issued prior to the taking effect of any State law on the subject, until such time as the machinery for issuing permits by the State Director of Civilian Protection (pursuant to Sec. 11 of Chap. 229, Stats. 1943) could get into operation.

War Powers Proclamation No. 3, issued July 16, 1943, extended the life of those permits to September 1, 1943, when it was found such additional time was needed.

War Powers Proclamation No. 4, issued October 8, 1943, was a revision of the dimout regulations made necessary by the changes made by Public Proclamation No. 12 of the Commanding General of the Western Defense Command. No. 4 conformed precisely to the said military proclamation and is virtually a word for word repetition thereof.

War Powers Proclamation No. 5, issued November 4, 1943, constituted a relaxation of the dimout regulations made in exact conformity to a similar military proclamation (Public Proclamation No. 19).

War Powers Proclamation No. 6, issued January 11, 1944, represents a variation in the railroad regulations established by Proclamation No. 1, and other minor lighting requirements, in the interests of safety and to relieve those concerned of certain restrictions found no longer necessary.

Proclamations No. 1 to No. 4, inclusive, having been issued prior to publication of the volume of 1943 Statutes, were printed therein as an appendix, and so are readily accessible.

Respectfully,

EARL WARREN, Governor

Proclamation No. 1

WHEREAS, Section 15 of Chapter 229, Statutes 1943, entitled an act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter."

And

WHEREAS, The State War Council has duly found, determined and recommended that additional air raid precaution regulations, concerning railroads, are required for the protection of life and property; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations and recommendations of the State War Council; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following air raid precaution regulations:

REGULATION CONCERNING RAILROADS

1. These regulations apply to all railroads operated by steam or diesel power and such operations of electric railways for which a written permit is issued by the State Director of Civilian Protection making such regulations applicable to such operations.

2. *Responsibility for Warnings.* It is the responsibility of each railroad company to make the necessary arrangements with civilian defense authorities to obtain necessary information of yellow, blue, red and white air raid signals, and to establish their own communications to notify the necessary railroad personnel when such communication is necessary to supplement the regular air raid warning system.

3. *Operation During Air Raid Alarms.* Subject to the provisions hereinafter expressed, railroad trains shall continue to operate as nearly in accordance with normal standards as possible during blackout periods and periods of air raid alarm. Because of the time required to put such measures in effect, all hoods as specified in paragraphs 8 and 9 shall remain affixed at all times, and window shades shall be drawn on all passenger cars from sunset to sunrise, whether or not a blackout period is in force. Immediately upon the receipt of a yellow air raid warning it is the responsibility of each railroad company to transmit said warning by the fastest available means of communication to personnel in charge of trains operating in or approaching the area of air raid alarm so that light control practices in respect to locomotives, cars, and trains shall be put into effect immediately upon commencement of the blackout period.

4. *Light Control.* During blackout periods in areas of air raid alarm, illumination in connection with railroad operations shall be permitted, extinguished or controlled as provided in paragraphs 5 to 15, inclusive, hereof.

5. *Signal Lights.* All signal lights essential to safe operation will be continued in service during blackout periods.

6. *Passenger Cars.* All passenger coaches, pullman, dining, lounge, club, observation and other passenger cars shall be shielded so that no light is visible from out-of-doors, except that vestibule ceiling lights in vestibules of passenger cars, equipped with type S-14, 15-watt, 34-volt, medium base, amber-orange lamp with one-half square inch of clear glass at bottom of the globe, may be left in operation at all times without any special shielding of the vestibule.

7. *Mail and Baggage Cars.* Mail, express and baggage cars shall be shielded so that no light is visible from out-of-doors during blackout periods in areas of air raid alarm. To blackout full railway post office cars and mail compartments of other cars, use may be made of S. P. Blackout Panels for Postal Windows approved November, 1942, by the General Superintendent of Railway Mail Service, Washington, D. C.

8. *Other Train Lights.* Marker lights on railroad trains shall remain in operation, but they shall be hooded to reduce the upward light to a minimum. Illuminated signs on trains must be extinguished during blackout periods in areas of air raid alarm.

9. *Locomotives.* Locomotive headlights must be hooded so as to reduce to a minimum the amount of upward light and the light normally cast along the side of the right of way, and such headlights shall be operated on dimmer control; backup headlights shall be hooded in accordance with the requirements for headlights, and may be operated as required if the beam candlepower is no greater than that of the headlight on the dimmer control; gauge and classification lights shall remain in operation but shall be hooded so as to reduce the upward and outward light to a minimum; cab deck lights shall be extinguished; enginemen's cab reading lights shall be hooded to reduce the amount of upward and outward light to a minimum and shall be extinguished except when actually required to read orders or schedules; stack lights shall not be used except in tunnels or snow sheds; and enginemen shall avoid popping of locomotives and must control the flash from the fire boxes to reduce the amount of upward and outward light to a minimum.

10. *Electric Locomotives.* Power shall be shut off at gaps in third rail, crossovers and other points where arcing might occur; power shall be shut off on locomotive or other rolling stock equipped with overhead collectors at section breaks where trolley construction is such that continuous contact is not maintained between overhead collectors and trolley wire; and when lowering overhead collectors all power shall be shut off.

11. *Freight and Work Trains.* Lights in all cabooses, and living quarters of work trains, must be extinguished or shielded so that no light is visible from out-of-doors.

12. *Emergency Repairs.* Emergency repair and wrecking crews may continue such operations as are immediately necessary to restore transportation service, and may use the minimum amount of light required for such operations during blackout periods, provided that all lights shall be shielded so that no direct rays from any light source are emitted above the horizontal, *except* when an actual air raid is in progress in the vicinity in which event all lights shall be extinguished except such lights as are permitted in Section 12 of Chapter 229, Statutes 1943.

13. *Flagging and Signaling.* During blackout periods in areas of air raid alarm, flagging will be performed only with red lanterns and torpedoes so far as possible; fuses must not be used unless and to the extent absolutely essential for safety; normal switchmen's and trainmen's hand lanterns may be used for necessary signaling, but care must be taken to keep overhead signals to a minimum and such lanterns shall be extinguished or kept under cover so that they are not visible from out-of-doors when not actually in use for signaling. Acetylene hand lamps must not be used.

14. *Action During Raid.* When an actual raid is occurring in the immediate vicinity, train crews will endeavor to clear the main track at the first available siding, and shall stop the train and extinguish all headlights, backup lights and gauge, classification and reading lights until the raid is over; all switch engines in yards will move into the clear, stop and extinguish all lights; and all repair and wrecking crews shall extinguish all lights and take shelter; provided, however, that illumination which is permitted generally under Section 12, Chapter 229, Statutes 1943, shall also be permitted as required by railroad crews during air raids.

15. *Inspection and Servicing.* Filtered flashlights, as specified in Section 12, Chapter 229, Statutes 1943, and carmen's hand lanterns may be used as required for work which is necessary to maintain scheduled operations, such as car and engine inspection, oiling, coaling, watering and sanding. Care must be exercised to keep upward light to a minimum and all lights must be extinguished or covered when not actually required for operations. Fixed lights on sandhouses, oiling, coaling and watering stations and similar service facilities may be operated during blackouts only when and to the extent required for servicing operations which are immediately necessary for the safe maintenance of scheduled operations, provided that all such lights shall be shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A. D., 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

(Signed)

[SEAL]

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy Secretary of State

Senate Bill No. 742

CHAPTER 229

An act to provide for precautions against enemy attack, including blackout and dimout regulations, declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 27, 1943. Filed with Secretary of State April 27, 1943.]

The people of the State of California do enact as follows:

Chapter 1. Zones of Restricted Lighting

SECTION 1. The present situation requires as a matter of military necessity that a Zone of Restricted Lighting be established within the areas described herein, and that illumination within said Zone Restricted Lighting be extinguished or controlled in such manner and to such extent as may be necessary to prevent such illumination from aiding the operations of the enemy.

Pursuant to said determination and statement of military necessity a Zone of Restricted Lighting, as particularly described as follows, is hereby designated and established, and the entire area of each named county is included except where a portion of a county is specifically described: Alameda, Butte, Colusa, Contra Costa, Del Norte, Glenn, Humboldt, Kings, Lake, Marin, Mendocino, Merced, Monterey, Napa, Orange, Sacramento, San Benito, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, Trinity, Ventura, Yolo, Yuba, Amador—all that portion situated westerly of El Dorado National Forest, Calaveras—all that portion situated westerly of Stanislaus National Forest, El Dorado—all that portion situated westerly of El Dorado National Forest, Fresno—all that portion situated westerly of Sierra National Forest, Kern—all that portion situated westerly of Meridian 118° 45', which runs approximately three miles west of Glennville, one mile west of Bena and seven miles east of Lebec, Los Angeles—all that portion situated southwesterly of Angeles National Forest and westerly of Mint Canyon, Madera—all that portion situated westerly of Sierra National Forest, Mariposa—all that portion situated westerly of Stanislaus National Forest and Sierra National Forest, Nevada—all that portion situated westerly of Tahoe National Forest, Placer—all that portion situated westerly of Tahoe National Forest, Riverside—all that portion situated westerly of the San Bernardino Meridian, including all of the city of San Jacinto, San Bernardino—all that portion situated southwesterly of the San Bernardino National Forest, San Diego—all that portion situated westerly of Anza Desert State Park, Shasta—all that portion situated westerly of the Mount Diablo Meridian, Tehama—all that portion situated westerly of the Lassen National Forest and westerly of the most westerly boundary of Lassen National Forest projected north along the Mount Diablo Meridian to the southerly boundary of Shasta County, Tulare—all that portion situated westerly of Sierra National Forest, Sequoia National Park and Sequoia National Forest, Tuolumne—all that portion situated westerly of Stanislaus National Forest.

SEC. 2. Illumination within the entire area of said Zone of Restricted Lighting described in Section 1 shall be extinguished or controlled at all times at night from sunset to sunrise, as follows:

(a) Signs, Floodlighting, Display and Interior Lighting. Illuminated signs and ornamental lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs (including but not limited to all exterior advertising signs, billboards, display lighting, theater marquee signs, illuminated poster panels and building outline lighting), and all interior light sources (as hereinafter defined) which emit direct rays above the horizontal out-of-doors, shall be extinguished. The words, "light sources," as used herein are intended and shall be construed to mean and include any light generating elements and the bright portion of any reflector, lens, luminaire, transparency, or other equipment associated therewith for the control or diffusion of light. This Section 2 (a) shall not apply to illumination for industrial or protective purposes except to the extent provided for in Section 2 (b) hereof.

(b) Illumination of Outdoor Areas; Street and Highway Lights. Illumination of outdoor areas and industrial and protective illumination, shall be controlled as follows:

(1) Except as provided in Section 2 (b) (2) hereof, illumination on all outdoor areas (including but not limited to automobile service station yards, outdoor parking areas, recreation areas and outdoor structures and roofs) shall not exceed one foot candle at any point when measured on a horizontal plane at any level of such outdoor areas, and all outdoor light sources shall be shielded so that no direct rays from the light source are emitted above the horizontal. All interior lighting of every description shall be reduced or controlled so that it does not contribute more than one foot candle of illumination upon any outdoor area. All street and highway lights shall also be shielded so that each light source emits no more than 10 per cent of its total lamp lumens at angles above the horizontal. Provided the foregoing requirements are met, any further reduction or extinguishment of street or highway illumination which would unnecessarily aggravate traffic hazards is not required.

(2) Variations from the foregoing requirements shall be permitted in the case of illumination for industrial and protective purposes, and from industrial processes

whether interior or exterior, but not including street or highway lights, only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Command General of the Western Defense Command or an agency designated by such commander to approve such variations, obtained in advance.

(c) **Traffic Signs and Signals.** Illuminated signs and signals which are authorized or maintained by governmental authority for the purpose of controlling or directing street or highway traffic shall be shielded so that no direct rays from the light source are emitted above the horizontal in respect to lights mounted 10 feet or more above the ground, or above an angle of more than six degrees above the horizontal in respect to lights mounted less than 10 but more than three feet above the ground, or above an angle of more than 12 degrees above the horizontal in respect to lights mounted less than three feet above the ground. Relative variations in the upward limit of light are permissible to compensate for grades.

(d) **Navigation and Railroad Lights.** Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights, and headlights of railroad locomotives when in motion, are hereby excepted from all the provisions of this chapter.

Sec. 3. Definition of "Visible From the Sea." The phrase "visible from the sea," as used herein, is intended and shall be construed to mean and include the following:

Visible at any time from the waters of the Pacific Ocean, or visible from any of those bodies of water located on the shoreline of the State of California generally known and described as follows: Santa Monica Bay, Santa Barbara Channel, San Luis Obispo Bay, Estero Bay, and Monterey Bay; provided, however, that the waters of San Francisco Bay, lying easterly of a line extending from Point Bonita through Mile Rock, is not intended and shall not be construed to be a part of the sea; and solely for the purposes of Section 3 (c) hereof, concerning street and highway traffic, the phrase "areas visible from the sea" is also intended and shall be construed to mean and include that portion of streets or highways which may not in fact be visible from the sea but which is within areas generally visible from the sea.

In addition to the restrictions hereinbefore imposed, illumination within that part of the Zone of Restricted Lighting which is visible from the sea, as herein defined, shall be further diminished or obscured at all times at night from sunset to sunrise, as follows:

(a) **Street, Highway and Traffic Lights.** Street and highway lights, and illuminated signs (but not signals) which are authorized or maintained by governmental authority for the purpose of controlling or directing street or highway traffic and which are visible from the sea, shall be so shielded that they are not visible from the sea at night and so that no direct rays from the light source are emitted above the horizontal.

(b) **Residential, Commercial and Industrial Windows.** No lighting shall be permitted behind windows or glazed doors visible from the sea unless they are covered by drapes or shades.

(c) **Street and Highway Traffic.** Within areas visible from the sea, but subject to the exceptions hereinafter stated, vehicles shall operate at night, regardless of the direction of travel, with two lighted driving lamps, but not more than two, and each such lamp shall provide a maximum of not more than 250 beam candlepower. Normal rear lights, license plate lights and clearance lights (where required by law) are permitted. Vehicles which are classified as authorized emergency vehicles under the laws of this State or under Federal laws or regulations, when displaying an illuminated red spotlight, and when responding to a fire alarm, or when in the immediate pursuit of an actual or suspected violator of the law, or when going to or transporting a person who is in apparent need of immediate emergency medical or surgical care, or when responding to some other emergency involving the protection of life or property, shall be excepted from the foregoing provision.

(d) **Industrial and Protective Illumination.** Light sources for industrial purposes and light from industrial processes within areas visible from the sea, shall comply with the requirements of Section 2 (b) hereof, and shall also be shielded so that they are not visible from the sea at night; provided, that variations from these requirements may be permitted in case of illumination for industrial and protective purposes, and from industrial processes, whether interior or exterior (but not including street or highway lights), only when and to the extent that it is necessary to vary from such requirements in order to achieve and maintain maximum efficiency; but only with the written approval of the Commanding General of the Western Defense Command or of any other military agency designated by the Secretary of War, or an agency designated by such commander to approve such variations, obtained in advance.

(e) **Other Illumination.** Except as hereinabove provided in this Section 3, all other lights visible from the sea are prohibited at night, including but not limited to light from fires, bonfires, parked cars, flashlights and lanterns.

Sec. 4. Whenever the California State War Council, after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different provisions restricting lighting are required in the areas described in Section 1 hereof, or that restrictions on such lighting are required in other areas

in order to prevent aiding the operations of the enemy, the said State War Council shall address its findings to the Governor, and if the Governor concurs therein, he shall proclaim such additional or different restrictions and regulations governing illumination which shall thereupon become effective and shall have the same effect as laws of this State and shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and any other provisions of law governing illumination. The violation of any such regulations shall constitute a misdemeanor and be punishable as a violation of this chapter. In making such investigations and determinations, the State War Council is hereby directed to consider the findings and recommendations of the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War, and in no event shall the Governor proclaim more restrictive regulations than those specified by said Commanding General, it being the intention that insofar as possible the regulations so adopted shall be uniform with the orders or recommendations of the said Commanding General.

Chapter 2. Air Raid Precautions

SEC. 5. "Air raid signal" shall mean a public notice or signal requiring compliance with the provisions of this chapter covering precautions against possible or assumed enemy attack within a specified area. The form of said public notice or signal shall be an audible signal of approximately two minutes duration, made by siren, whistle, horn or other audible device, consisting of a fluctuating or warbling sound of varying pitch, or a succession of intermittent blasts of approximately five seconds duration separated by a succession of silent periods of approximately three seconds duration. "All clear signal" shall mean a public notice or signal indicating termination of the requirement of compliance with the provisions of this chapter. The form of said notice or signal shall be a continuous audible signal of approximately two minutes duration at a steady pitch, made by a siren, whistle, horn or other audible device. The form of air raid or all clear signals may be varied to meet local conditions when a permit to vary the form of such signals has been granted by the State Director of Civilian Protection.

"Period of Air Raid Alarm" shall mean the interval of time between the giving of the air raid signal and the giving of the next succeeding all clear signal.

"Period of Blackout" shall mean a period of air raid alarm occurring at night between sunset and sunrise.

"Area of Air Raid Alarm" shall mean the district or area in respect to which an air raid signal is given, as such district may have been defined by the State War Council and the Commanding General, Western Defense Command, or such other military agency as may be designated by the Secretary of War.

SEC. 6. None of the signals described in Section 5 hereof shall be given except by or under the authority of the IV Fighter Command, or such other military agency as may be designated by the Secretary of War.

SEC. 7. Immediately upon the commencement of a blackout period, every person in control of lighting within an area of air raid alarm shall extinguish or obscure all lighting which is visible from out-of-doors and shall keep such lighting extinguished or obscured until such blackout period is ended.

SEC. 8. No person in control of lighting shall permit any such lighting visible from out-of-doors to be left unattended at night from sunset to sunrise. Lighting shall be unattended within the meaning hereof unless it is left under the control of a competent person who has undertaken responsibility for such lighting or unless the lighting is controlled by a mechanical device competent to control such lighting. Persons in control of lighting shall be responsible for the timely and proper functioning of any such mechanical device relied upon for the control of lighting.

SEC. 9. At the commencement of a period of air raid alarm (occurring during either day or night), the operator of any vehicle shall forthwith bring such vehicle as far as possible to the side of the street, road or highway off the main traveled portion thereof, and the operator of such vehicle, and the operator of any streetcar, shall bring such vehicle or streetcar to a stop clear of any crossing, intersection, fire house, fire plug, hospital or other emergency depot or area, and during a period of blackout shall extinguish all lights therein or thereon, and said vehicle or streetcar shall remain so situated during the period of air raid alarm, unless directed or ordered to move by any highway patrolman, peace officer, auxiliary policeman, air raid warden or other authorized person.

SEC. 10. All persons within an area of air raid alarm in an unsheltered place shall immediately go to the nearest shelter and remain therein until the period of air raid alarm is ended except:

(a) Uniformed members of the armed forces of the United States or of the State Guard, and regular firemen, peace officers or highway patrolmen, all when acting under official orders.

(b) Persons lawfully wearing any arm band with insignia prescribed by the Director of the United States Office of Civilian Defense, and persons lawfully wearing arm bands authorized for the Aircraft Warning Service, only when and to the extent that such persons are required to move or remain away from shelter in the performance of their emergency duties.

Sec. 11. The provisions of this chapter shall not include the following:

(a) "Authorized emergency vehicles" when responding to a fire alarm or when going to or transporting a person who is in apparent need of immediate emergency medical care, or when in immediate pursuit of an actual or suspected violator of the law, or when transporting essential personnel to posts of duty in compliance with specific orders, or when responding to some other emergency involving the immediate protection of life or property or when returning to a dispatching station;

(b) "Auxiliary emergency vehicles" in respect to which a valid written vehicle permit has been issued by, and which is displaying insignia or other identifying devices or articles authorized by, the State Director of Civilian Protection in accordance with rules established by the State War Council. Notwithstanding the provisions of Section 3 (c) of this act auxiliary emergency vehicles shall be permitted to travel, as provided in this paragraph, in areas visible from the sea during periods of blackout when operated under the conditions prescribed by this paragraph.

(c) Vehicles under the control of the armed forces of the United States, the operators of which are acting under official orders.

(d) Illumination in connection with railroad operations (except passenger and freight stations, offices and warehouses), aeronautical operations, and illumination in connection with water navigation and in and about ports under the jurisdiction of the United States Navy, and all lights operated by military or naval authority.

Sec. 12. The blackout provisions of this chapter shall not include the following:

(a) Incandescent electric lamps lawfully marked "Indoor Blackout—War Department Standard," and complying with the specifications therefor expressed in "War Department Specifications—Blackout of Buildings," may be left burning in commercial and industrial building interiors without the complete obscuration of doors and windows, only if such lamps are installed in accordance with the following specifications:

(1) In any one room, only one lamp shall be permitted for each two hundred (200) square feet of floor area or fraction thereof.

(2) Lamps shall be spaced not less than 10 feet apart in every direction.

(3) In hallways and corridors only one row of lamps shall be permitted, spaced not less than fifteen (15) feet apart, notwithstanding the provisions of paragraph (2) hereof.

(4) Lamps shall be placed at least three (3) feet from any window or other exterior opening in the building which is not completely obscured, and lamps shall not be pointed toward any such window or other exterior opening.

(5) All lamps shall be located or shielded so that they are not directly visible from out-of-doors when viewed from a point above the level of the bottom of the lamp.

(b) Red exit lights shall be permitted within buildings which are open to the public; provided, that all such lights are located or shielded so that no direct rays from such lights are emitted out-of-doors; and provided, that such lights shall be restricted to not more than one lamp of not more than fifteen (15) watts at each exit or at each turning point in the route to an exit.

(c) Flashlights may be used during periods of blackout in areas of air raid alarm; provided, that such flashlights shall not be pointed above the horizontal and provided that the lens, cover glass or lamp of such flashlights shall be completely screened with material which is the equivalent, in density and light reduction properties, of three thicknesses of ordinary newspaper in the case of flashlights operated by two (2) dry cell batteries plus one additional thickness of such paper for each additional dry cell battery used in the operation of such flashlight.

(d) Lanterns may be left unattended and may be left burning during blackout periods in areas of air raid alarm for the purpose of marking excavations or obstructions in areas open to the public if such lanterns are equipped with red globes and if they are shielded so that no direct rays from the light source are emitted upward beyond twelve degrees (12°) above the base of the lantern flame, and if such lanterns are spaced at least ten (10) feet apart.

(e) Light emitted from industrial processes, such as furnaces, foundries and kilns, where the extinguishment of the light would involve serious difficulties in resuming operations after the blackout, shall be permitted during blackout periods in areas of air raid alarm; provided, that the light is shielded, obscured, reduced in intensity and otherwise controlled to as great an extent as may be practicable to reduce to a minimum the amount of light visible out-of-doors; and provided, that such light is specifically permitted in writing in advance by the Commanding General, Western Defense Command, or any other military agency designated by the Secretary of War, or an agency designated by such commanding general to approve such variations. Steam or smoke shall be reduced to the lowest practicable minimum except where such steam or smoke is used for protective concealment in accordance with plans approved by military authorities.

Sec. 13. All persons are forbidden to order, alter, publish, sound or simulate in any manner, any air raid or all clear signal unless authorized to do so as provided in this chapter.

Sec. 14. All persons are forbidden to wear, exhibit or use any arm band, pennant, permit, identification card or other identifying article or device unless lawfully authorized to do so.

SEC. 15. Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter.

Chapter 3. General Provisions

SEC. 16. Any lighting remaining visible out-of-doors contrary to the provisions of this act constitutes a public nuisance, and the same shall be summarily abated by any peace officer or highway patrolman. Such nuisance may be abated by authorized civilian defense personnel if forcible entry or destruction of property is not required. Notwithstanding the provisions of this section any city, county, or city and county may provide by ordinance or resolution for the summary abatement of such nuisance by an auxiliary policeman or air raid warden.

SEC. 17. Any proclamation issued by the Governor pursuant to the provisions of this act shall be in writing and shall take effect immediately upon issuance thereof. As soon thereafter as possible such proclamation shall be filed in the office of the Secretary of State. The Governor shall cause widespread publicity and notice to be given such proclamation. Within 10 days after the convening of the next session of the Legislature the Governor shall make a report thereto of the provisions of any such proclamation.

SEC. 18. Any person who violates any of the provisions of this act or who refuses or wilfully neglects to obey any lawful rule, regulation or order promulgated or issued as provided in this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment for not to exceed six months, or by both such fine and imprisonment.

SEC. 19. This act shall remain in effect only until the cessation of hostilities in the present war in which the United States is engaged, as declared by the President or the Congress of the United States, or until such time as the Governor after recommendation made by the Western Defense Command or such other military agency as may be designated by the Secretary of War proclaims the provisions of this act are no longer necessary as a matter of military necessity, or to preserve life and property.

SEC. 20. If any section, subsection, subdivision, sentence, clause or phrase of this act is for any reason held to be not in immediate effect, it is the express legislative intent that such decision shall not affect the immediate operation or validity of the remaining portions of this act.

It is the intent of the Legislature that this entire act shall take effect immediately and that if any portion thereof can not, under the Constitution of this State, so take effect, that all of the remaining provisions hereof shall take effect immediately and that such portion or portions, if any, that can not take effect immediately, shall take effect at the time provided by law. Any portion of this act that may for any reason be held to be not in immediate effect is hereby expressly declared to be severable from the remaining portions of this act.

Further, in the event it is determined that the inclusion of a provision in this act that can not take effect immediately would prevent this act from being construed to be an urgency measure, then any such provision in this act shall be held to be inoperative, and the remaining portions of this act shall take effect immediately.

SEC. 21. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 22. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the State Constitution, necessary for the immediate preservation of the public peace, health and safety. The statement of the facts constituting such necessity is as follows:

The Western Defense Command of the United States Army has found that military necessity requires the restriction of the intensity of lights in certain areas of this State, and has by order prohibited the use of lights of more intensity than that prescribed. While a violation of such order is a crime under Federal law, there is no satisfactory available means by which the Federal Government can enforce such order and it is essential to the war effort that the State be enabled at the earliest possible moment to enforce the provisions of such order. The effect of this bill will be to permit such enforcement by the State.

Uniform air raid precautions are urgently needed to minimize the effect of enemy attack upon life and property and military installations within this State and uniformity is necessary so that all persons going from one area of the State into another may know their duties and conform to the law. It is therefore provided that this act shall take effect immediately.

Proclamation No. 2

WHEREAS, Section 15 of Chapter 229, Statutes 1943, entitled an act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"Sec. 15. Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter."

And

WHEREAS, The State War Council has duly found, determined and recommended that an additional air raid precaution regulation is required for the protection of life and property to permit privately and publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits duly issued by responsible State and local officials authorized to issue such permits prior to the effective date of Chapter 229, Statutes 1943, to continue to operate said vehicles, during periods of air raid alarm, for a period of sixty (60) days from the date hereof; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations and recommendations of the State War Council; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following additional air raid precaution regulation, to wit:

Privately or publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits properly issued by the responsible State and local officials who are authorized to issue such permits prior to the effective date of Chapter 229, Statutes 1943, are hereby authorized to continue to operate said vehicles during periods of air raid alarm for a period of 60 days from the date hereof under and subject to said permits issued by such State and local officials.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A.D. 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

[SEAL]

(Signed)

FRANK M. JORDAN, Secretary of State

By CHAS. J. HAGERTY, Deputy Secretary of State

Proclamation No. 3

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, The California War Council acting pursuant to the provisions of Section 15 of Chapter 229, Statutes of 1943, has duly found, determined and recommended that an additional air raid precaution regulation is required for the protection of life and property to permit privately and publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits duly issued by responsible State and local officials authorized to issue such permits prior to the effective date of Chapter 229, Statutes of 1943, to continue to operate said vehicles during periods of air raid alarm to and including the first day of September, 1943; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations, and recommendations of the California State War Council; now, therefore,

I, EARL WARREN, Governor of California, pursuant to the authority vested in me by Section 15 of Chapter 229, Statutes of 1943, do hereby proclaim the following additional air raid precaution regulation, to wit:

Privately or publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits properly issued by the responsible State and local officials who were authorized to issue such permits prior to the effective date of Chapter 229,

Statutes 1943, are hereby authorized to continue to operate said vehicles during periods of air raid alarm to and including the first day of September, 1943, under and subject to said permits issued by such State and local officials.

This proclamation is hereby designated Proclamation Number 3.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of July, A. D., 1943.

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

[SEAL]

By CHAS. J. HAGERTY, Deputy Secretary of State

War Powers Proclamation No. 4

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, Section 4 of Chapter 229, Statutes 1943, entitled An act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"SEC. 4. Whenever the California State War Council, after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different provisions restricting lighting are required in the areas described in Section 1 hereof, or that restrictions on such lighting are required in other areas in order to prevent aiding the operations of the enemy, the said State War Council shall address its findings to the Governor, and if the Governor concurs therein, he shall proclaim such additional or different restrictions and regulations governing illumination which shall thereupon become effective and shall have the same effect as laws of this State and shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and any other provisions of law governing illumination. The violation of any such regulations shall constitute a misdemeanor and be punishable as a violation of this chapter. In making such investigations and determinations, the State War Council is hereby directed to consider the findings and recommendations of the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War, and in no event shall the Governor proclaim more restrictive regulations than those specified by said Commanding General, it being the intention that insofar as possible the regulations so adopted shall be uniform with the orders or recommendations of the said Commanding General."

And

WHEREAS, The State War Council has duly found, determined, and recommended that different Lighting Zones be established and modification be made in certain respects of lighting restrictions in said zones as of 10 October 1943; and

WHEREAS, The recommendations of the State War Council are uniform with the proposed order of the Commanding General of the Western Defense Command in compliance with Section 4 of Chapter 229, Statutes 1943; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following Lighting Restrictions modifying the provisions of Sections 1, 2 and 3 of Chapter 229, Statutes 1943, to wit:

SECTION 1. Establishment of Lighting Zones. The following Lighting Zones within the State of California are hereby designated and established:

(a) Lighting Zone A includes all the portions of the following counties as hereinafter described: Lighting Zone A includes only that portion of the following counties situated within 15 miles from the sea as defined in Section 7 (b) hereof, except where a different portion of a county is hereinafter specifically described. Where the described boundary line of Lighting Zone A passes through any city or town, all of such city or town is included within Lighting Zone A. For this purpose, the boundary of any such city or town shall be deemed to include all the area within the city limits of any such incorporated city, and the contiguous areas of any such incorporated or unincorporated city or town which are served by a continuation of the same street lighting system serving said city or town:

Alameda—All that portion situated more than five miles west of California State Highway No. 21, which runs through Martinez, Walnut Creek and Dublin.

Contra Costa—All that portion situated more than five miles west of California State Highway No. 21.

Del Norte

Humboldt

Los Angeles—All that portion situated south of the Santa Clara River or south of the Angeles National Forest and westerly of Meridian 118° which runs through the eastern boundary of the city of Monrovia.

Marin—Entire area of the county.

Mendocino

Monterey

Orange—Entire area of the county.

San Diego

San Francisco—Entire area of the county.

San Luis Obispo

San Mateo—Entire area of the county.

Santa Barbara

Santa Cruz—Entire area of the county.

Solano—All that portion within a radius of five miles from the City Hall of Vallejo, California.

Sonoma

Ventura

(b) Lighting Zone B, comprising all that portion of Lighting Zone A which is within 10 miles from the sea as defined in Section 7 (b) hereof.

(c) Lighting Zone C includes all the portions of the following counties as hereinafter described: The entire area of each county named below, except any portion of the county included in Lighting Zone A, is included in Lighting Zone C, except where a portion of a county is specifically described. Where the described boundary line of Lighting Zone C passes through any city or town, all of such city or town is included within Lighting Zone C. For this purpose, the boundary of any such city or town shall be deemed to include all the area within the city limits of any such incorporated city, and the contiguous areas of any such incorporated or unincorporated city or town which are served by a continuation of the same street lighting system serving said city or town:

Alameda

Amador—All that portion situated westerly of El Dorado National Forest.

Butte

Calaveras—All that portion situated westerly of Stanislaus National Forest.

Colusa

Contra Costa

Del Norte

El Dorado—All that portion situated westerly of El Dorado National Forest.

Fresno—All that portion situated westerly of Sierra National Forest.

Glenn

Humboldt

Kern—All that portion situated westerly of Meridian 118° 45', which runs approximately three miles west of Glennville, one mile west of Bena and seven miles east of Lebec.

Kings

Lake

Los Angeles—All that portion situated south of the Angeles National Forest, excepting the portion included in Lighting Zone A.

Madera—All that portion situated westerly of Sierra National Forest.

Mariposa—All that portion situated westerly of Stanislaus National Forest and Sierra National Forest.

Mendocino

Merced

Monterey

Napa

Nevada—All that portion situated westerly of Tahoe National Forest.

Placer—All that portion situated westerly of Tahoe National Forest.

Riverside—All that portion situated westerly of the San Bernardino Meridian, including all of the city of San Jacinto.

Sacramento

San Benito

San Bernardino—All that portion situated southwesterly of the San Bernardino National Forest.

San Diego—All that portion situated westerly of Anza Desert State Park, excepting the portion included in Lighting Zone A.

San Joaquin

San Luis Obispo

Santa Barbara

Santa Clara

Shasta—All that portion situated westerly of the Mount Diablo Meridian.

Solano

Sonoma

Stanislaus

Sutter

Tehama—All that portion situated westerly of the Lassen National Forest and westerly of the most westerly boundary of Lassen National Forest projected north along the Mount Diablo Meridian to the southerly boundary of Shasta County.

Trinity

Tulare—All that portion situated westerly of Sierra National Forest, Sequoia National Park and Sequoia National Forest.

Tuolumne—All that portion situated westerly of Stanislaus National Forest.

Ventura

Yolo

Yuba

SECTION 2. *Effective Hours.* All lighting restrictions hereinafter provided shall be applicable and observance thereof required at all times from one-half hour after sunset until one-half hour before sunrise each night from 1 October to 30 April, and from one hour after sunset until one hour before sunrise each night from 1 May to 30 September.

SECTION 3. *Restrictions in Both Lighting Zones A and B.* Subject to the exceptions hereinafter provided, during the hours specified in Section 2 hereof illumination within Lighting Zones A and B shall be controlled as follows:

(a) Advertising and Decorative Lighting. Illuminated signs and ornamental, decorative and display lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs, shall be extinguished.

(b) Upward Light. All light sources of every description shall be situated or shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors.

(c) Outdoor Area Illumination. Illumination on any outdoor area shall not exceed one-foot candle at any point.

SECTION 4. *Additional Restrictions in Lighting Zone B.* Subject to the exceptions hereinafter provided, during the hours specified in Section 2 hereof, any light source located within Lighting Zone B which is directly visible from the sea, as hereinafter defined, shall be either extinguished or shielded so that it is no longer directly visible from the sea, in addition to the applicable restrictions provided in Section 3 hereof.

SECTION 5. *Restrictions in Lighting Zone C.* Subject to the exceptions hereinafter provided, during the hours specified in Section 2 hereof illumination within Lighting Zone C shall be controlled as follows:

(a) Upward Light. All electric incandescent lamps in excess of 100 watts capacity, and all other light sources producing equivalent light intensity, when located out-of-doors, shall be shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors. Any accumulation of light sources located within or above any ten foot square of outdoor ground area shall be deemed to be a single light source, and if the aggregate intensity of such an accumulation of light sources exceeds the limit expressed in the preceding sentence, then all such light sources shall be shielded.

(b) Outdoor Area Illumination. Illumination on any outdoor area shall not exceed five-foot candles at any point.

SECTION 6. *Exceptions.* Certain exceptions from the foregoing restrictions are made as follows:

(a) Industry, Safety, Health and Welfare. Variations from any of the restrictions of this Proclamation may be permitted by the written approval of the Commanding General of the Western Defense Command, or any agency designated by such commander to approve such variations, obtained in advance, but only when and to the extent required to achieve and maintain maximum industrial efficiency, or reasonable safety of persons or property, or to maintain health and welfare and only to the extent consistent with the requirements of military necessity as determined from time to time by the Commanding General of the Western Defense Command. All approvals of lighting variations shall be reported to, and subject to revocation by the Commanding General, Western Defense Command. All approvals presently in effect under the provisions of Chapter 229, Statutes 1943, in respect to any illumination within Lighting Zones A, B or C, established herein, shall remain in effect as if reissued hereunder.

(b) Interior Lighting. Upward light emitted out-of-doors from any light source shall be permitted if the light source is (1) within any building and more than six feet from the nearest window or other opening in the wall of the building or (2) at any location within a building used primarily as a residence, apartment, hotel or residential club, if all the direct rays emitted above the horizontal out-of-doors are shielded by any customary residential type of lamp shade; but in either case no direct rays from any light source shall be emitted through any skylight, and all indoor light sources within Lighting Zone B shall be shielded so that they are not directly visible from the sea. (See Section 5 for further exception of interior light sources in Lighting Zone C.)

(c) Recreational Lighting. Outdoor area illumination up to a maximum of 30 foot candles is permitted in any location more than three miles from the sea as hereinafter defined, but only when and to the extent actually required and primarily used for sports or recreation, and when otherwise in compliance with the applicable restrictions of Sections 3 and 4 hereof.

(d) Vehicle Lights. All vehicle lights required by law are permitted; provided, however, that within Lighting Zone B, in areas visible from the sea as hereinafter defined, driving lamps shall be operated only on the low or depressed beam. Authorized emergency vehicles on official emergency missions are excepted from all the restrictions of this Proclamation.

(e) Route and Destination Signs. Illuminated route and destination signs on public carrier vehicles are excepted from all the restrictions of this Proclamation.

(f) Traffic Signs and Signals. Illuminated signs and signals authorized by governmental authority to control or direct traffic are excepted from all the foregoing restrictions; provided, however, that such signals are illuminated by electric lamps of not more than 100 watt capacity or the equivalent, and that the actual light sources illuminating such signs are shielded to comply with Sections 3 and 4 hereof.

(g) Highway Flares and Obstruction Lights. Fuses or similar flares in an emergency, or so-called bomb type flares and warning lanterns, are excepted from all the foregoing restrictions, but only when and to the extent actually and immediately required to warn traffic of obstruction.

(h) Navigation and Railroad Lights. Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights, and headlights of railroad locomotives when in motion are excepted from all restrictions of this proclamation.

(i) Street and Highway Lights. All street and highway lights are excepted from the restrictions of Sections 3 and 5 hereof, but they must be shielded so that each light source emits no more than 10 per cent of its total lamp lumens above the horizontal and must be controlled so that such light sources contribute no more than three-foot candles of illumination at any point upon the ground, and in lighting Zone B must be situated or shielded so that the light sources are not directly visible from the sea as hereinafter defined.

SECTION 7. *Definition.* As used herein, the following words and phrases shall have the following meanings:

(a) "Light Source." Any light generating element and the bright portion of any reflector, lens, luminaire, transparency, or other equipment associated therewith for the control or diffusion of light.

(b) "Sea." The waters of the Pacific Ocean and those bodies of water on the shoreline of California generally known as Santa Monica Bay, Santa Barbara Channel, San Luis Obispo Bay, Estero Bay and Monterey Bay. The waters of San Francisco Bay, lying easterly of a line extending from Point Bonita through Mile Rock, are not intended and shall not be construed to be a part of the sea.

(c) "Visible from the Sea." Actually and directly visible at any time from the sea, as defined above; provided, that solely for the purpose of Section 6 (d) hereof, the phrase "visible from the sea" shall include those portions of streets or highways which may not in fact be visible from the sea but which are within areas generally visible from the sea.

This proclamation is hereby designated "War Powers Proclamation No. 4," and shall take effect the tenth day of October, 1943.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of October, A.D., 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

(Signed)

FRANK M. JORDAN, Secretary of State
By ED LABOWITZ, Deputy Secretary of State

[SEAL]

This proclamation filed 10.45 a.m., October 9, 1943.

War Powers Proclamation No. 5

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, Section 4 of Chapter 229, Statutes 1943, entitled an act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"Sec. 4. Whenever the California State War Council, after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different provisions restricting lighting are required in the areas described in Section 1 hereof, or that restrictions on such lighting are required in other areas in order to prevent aiding the operations of the enemy, the said State War Council shall address its findings to the Governor, and if the Governor concurs therein, he shall proclaim such additional or different restrictions and regulations governing illumination which shall thereupon become effective and shall have the same effect as laws of this State and shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and any other provisions of law governing illumination. The violation of any such regulations shall constitute a misdemeanor and be punishable as a violation of this chapter. In making such investigations and determinations, the State War Council is hereby directed to consider the findings and recommendations of the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War, and in no event shall the Governor proclaim more restrictive regulations than those specified by said Commanding General, it being the intention that insofar as possible the regulations so adopted shall be uniform with the orders or recommendations of the said Commanding General."

And

WHEREAS, The State War Council has duly found, determined and recommended that the lighting restrictions heretofore established by law and by authority of law and especially those imposed by War Powers Proclamation No. 4, dated 8 October 1943 and effective 10 October 1943, be immediately suspended, superseded, and revoked; and

WHEREAS, The said recommendations of the State War Council are uniform with the order of the Commanding General of the Western Defense Command in compliance with Section 4 of Chapter 229, Statutes 1943; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim that the lighting restrictions heretofore imposed by law and by authority of law and especially those imposed by said War Powers Proclamation No. 4 dated 8 October 1943 and effective 10 October 1943, and also those imposed by Sections 1, 2, and 3 of Chapter 229, Statutes 1943, are hereby suspended, superseded, and revoked, subject only to the necessity of reinstating some or all of the same or new restrictions as circumstances may hereafter require and the law in the premises may authorize.

This proclamation is hereby designated "War Powers Proclamation No. 5" and shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of November, A. D. 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

[SEAL]

War Powers Proclamation No. 6

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, Section 15 of Chapter 229, Statutes 1943, entitled "An Act to Provide for Precautions Against Enemy Attack, Including Blackout and Dimout Regulations," etc., provides as follows:

"Sec. 15. Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter."

And

WHEREAS, The State War Council has duly found, determined and recommended that the following additional air raid precaution regulations, concerning industrial processes, railroads, excavations, etc., are required for the protection of life and property; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations and recommendations of the State War Council; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following air raid precaution regulations:

**REGULATION CONCERNING INDUSTRIAL PROCESSES,
RAILROADS, EXCAVATIONS, ETC.**

Light emitted from industrial processes, such as furnaces, foundries and kilns, where the extinguishment of the light would involve serious difficulties in resuming operations after a blackout, all lights on or in railroad trains, cars or locomotives (whether such trains, cars or locomotives are operated by steam, diesel or electric power), including vestibule and marker lights; and red lights marking excavations, repairs or obstructions, shall be permitted at such places and during such periods (including blackout periods in areas of air raid alarm) and under such conditions as such light is specifically authorized in writing in advance by the Commanding General, Western Defense Command, or any other military agency designated by the Secretary of War, or an agency designated by such Commanding General to approve such variations.

This proclamation is hereby designated "War Powers Proclamation No. 6" and shall take effect the eleventh day of January, 1944.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed at Sacramento this eleventh day of January, A.D. 1944.

(Signed)
ATTEST:

EARL WARREN, Governor of California

(Signed)

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy Secretary of State

[SEAL]

**Copy of Resolution of Executive Committee, Ninth Regional Civilian
Defense Board, January 19, 1944**

SUBJECT: Railroad Train Lighting

I hereby certify that the following is a true and correct copy of a resolution adopted by the Executive Committee of the Ninth Regional Civilian Defense Board at its meeting held on January 19, 1944:

"WHEREAS, The proclamation issued by the Governor of the State of California on May 19, 1943, concerning the control of lighting in connection with railroad operations, provides in paragraph 3 that window shades shall be drawn on all passenger cars at all times at night, and provides further in paragraph 8 that marker lights on railroad trains shall be hooded at all times at night to reduce the upward light to a minimum; and

WHEREAS, Under the provisions of War Powers Proclamation No. 6, issued by the Governor of the State of California on January 11, 1944, the Ninth Regional Civilian Defense Board as the agency designated for that purpose by the Commanding General, Western Defense Command, is authorized to approve variations from the restrictions provided in paragraphs 3 and 8 of said proclamation issued on May 19, 1943; and

WHEREAS, It is apparent that the crews of railroad trains operating in urban areas can ascertain by reasonable observations of nearby stationary light sources whether or not a blackout is in effect; and

WHEREAS, In unpopulated areas the light control measures referred to above are not deemed to be of vital importance for the general defense of the Pacific Coast against air attack but are important only in respect to the protection of the particular train involved and the passengers therein; and

WHEREAS, Such restrictions cause substantial inconvenience to passengers and trainmen and are not consistent with maximum safety in railroad operations; now, therefore, be it

Resolved, That unshaded and unrestricted lights in passenger cars are hereby authorized and approved at all times and places where a period of air raid alarm is not in effect, and that unhooded railroad train marker lights are hereby authorized and approved at all times whether or not a blackout period is in effect. All operators of railroad trains are cautioned to establish all reasonably possible arrangements for prompt notification of train crews when a train enters an area where a period of air raid alarm is in effect. This approval applies only to illumination within the State of California where the Ninth Regional Civilian Defense Board has authority to take this action under the provisions of said War Powers Proclamation No. 6. This approval is subject to revocation at any time whenever the Board deems such action necessary."

Dated: January 19, 1944

(Signed)

LLOYD M. SMITH, Secretary
Ninth Regional Civilian Defense Board

Copy of Resolution of Executive Committee, Ninth Regional Civilian
Defense Board, January 19, 1944

SUBJECT: *Warning Lanterns*

I hereby certify that the following is a true and correct copy of a resolution adopted by the Executive Committee of the Ninth Regional Civilian Defense Board at its meeting held on January 19, 1944:

"WHEREAS, The provisions of Chapter 229, California Laws of 1943, require that warning lanterns be attended at all times at night by a competent person who has undertaken the responsibility for such lighting and that they be extinguished during blackout periods in areas of air raid alarm, except for lanterns shielded in accordance with the specifications in Section 12(d) of said Chapter 229; and

WHEREAS, It appears that lanterns shielded in compliance with the specifications of said Section 12(d) do not provide the most effective warning for marking excavations and other obstructions on public streets and highways, and that permission to use ordinary lanterns equipped with red globes without any further shielding will not unduly endanger the defense of the Pacific Coast under present conditions; and

WHEREAS, Under the provisions of War Powers Proclamation No. 6, issued by the Governor of the State of California on January 11, 1944, the Ninth Regional Civilian Defense Board, as the agency designated for such purpose by the Commanding General, Western Defense Command, is authorized to approve variations from said restrictions concerning warning lanterns; now, therefore, be it

Resolved, That the use of ordinary kerosene lanterns equipped with red globes, or the equivalent, where required to warn persons of the presence of excavations, repairs or other obstructions on public streets, roads, highways or railroads is hereby approved without any further shielding and without the necessity for having said lights attended at night. This approval relates to all times and places within the State of California, including blackout periods in areas of air raid alarm. This approval applies only to illumination within the State of California where the Ninth Regional Civilian Defense Board has authority to take this action under the provisions of said War Powers Proclamation No. 6. This approval is subject to revocation at any time whenever the Board deems such action necessary."

Dated: January 19, 1944

(Signed)

LLOYD M. SMITH, Secretary
Ninth Regional Civilian Defense Board

REQUEST FOR UNANIMOUS CONSENT

Senator Shelley asked for, and was granted, unanimous consent to take up Senate Resolution No. 14, at this time, for consideration.

CONSIDERATION OF SENATE RESOLUTION NO. 14

Senate Resolution No. 14

Relating to memorializing Congress urging the enactment of a Federal Absentee Voters Law covering servicemen and servicewomen

WHEREAS, Approximately 10,000,000 citizens are now in the military services and Merchant Marine of the United States; and

WHEREAS, The vast majority of these American citizens are eligible to vote; and
WHEREAS, Our Service Men are now fighting in a global war to maintain our form of government; and

WHEREAS, It is necessary for the success of that governmental system that the vote of the people be truly representative; and

WHEREAS, Those in the military forces and Merchant Marine should be given the maximum opportunity for voting; and

WHEREAS, Several States have enacted statutes varying in their provisions, while other States have wholly neglected to provide any procedures for voting by members of the services; and

WHEREAS, There is an imperative need for adequate, uniform machinery for absentee balloting by our military and Merchant Marine personnel; and

WHEREAS, The Federal Soldier Voting Law now in effect is not satisfactory; now, therefore, be it

Resolved by the Senate of the State of California, That the Congress be memorialized to pass such legislation as will set up a simplified uniform ballot distributed by Federal authorities and that such ballots be distributed to the members of the armed services and to the Merchant Marine; and be it further

Resolved, That the Congress be memorialized to instruct the Federal agency authorized to distribute and collect the uniform Federal ballot to cooperate with those several States which have set up a system for the taking of a Soldier's vote to the end that no individual receives two ballots; and be it further

Resolved, That the Secretary of the Senate be hereby ordered to forward copies of this resolution to the President and Vice President of the United States, to the Secretary of War, to the Secretary of the Navy, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read.

Motion to Re-refer Senate Resolution No. 14

Senator Tickle moved that Senate Resolution No. 14 be re-referred to Committee on Elections.

Roll Call Demanded

Senators Shelley, Carter, Donnelly, and Swan demanded a roll call. The roll was called, and the motion carried by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Fletcher, Gordon, Hatfield, Jespersen, Judah, Mayo, Powers, Rich, Seawell, Tickle, and Ward—17.

NOES—Senators Burns, Carter, Deuel, Donnelly, Keating, McBride, McCormack, Quinn, Salsman, Shelley, Slater, and Swan—12.

Resolution ordered re-referred to Committee on Elections.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 6—An act to amend Sections 202 and 4896 of, and to add Section 4653.5 to, the Revenue and Taxation Code, relating to taxation of property belonging to the United States and receipt of payments in lieu of such taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Burns, Carter, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McBride, McCormack, Powers, Quinn, Rich, Salsman, Seawell, Slater, Swan, Tickle, and Ward—30.

NOES—None.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 3

Senate Concurrent Resolution No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolutions ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 7

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above bill ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Joint Resolution No. 17

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was read:

Assembly Joint Resolution No. 17—Relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine.

Request for Unanimous Consent

Senator Shelley asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 17, at this time, for consideration.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 17

Assembly Joint Resolution No. 17—Relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Brown, Carter, Collier, Crittenden, Cunningham, DeLap, Dillinger, Donnelly, Fletcher, Hatfield, Jespersen, Judah, Keating, Mayo, McCormack, Mixer, Quinn, Salsman, Seawell, Shelley, Slater, Tickle, and Ward—24.

NOES—None.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Joint Resolution No. 9

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

Above resolution ordered enrolled.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

Senate Concurrent Resolution No. 9

And respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California.

The question being: Shall the Senate concur in the following Assembly amendment to Senate Concurrent Resolution No. 9?

Amendment No. 1

On page 1, line 7, of the printed measure, at the end of the line, strike out "12.15 o'clock p.m.", and insert "4.30 o'clock p.m."

The roll was called, and the Senate concurred in Assembly amendment to Senate Concurrent Resolution No. 9 by the following vote:

AYES—Senators Biggar, Carter, Collier, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Fletcher, Gordon, Hatfield, Jespersen, Judah, Keating, Mayo, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Tickle, and Ward—27.

NOES—None.

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 2—Approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof, at a general municipal election held therein on Tuesday, October 12, 1943;

Senate Concurrent Resolution No. 3—Relative to the death of Friend William Richardson;

Senate Concurrent Resolution No. 4—Approving a certain amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of May, 1943;

And reports that the same have been correctly enrolled and presented to the Governor on the thirty-first day of January, 1944, at 9:40 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Joint Resolution No. 1—Relative to memorializing the Bureau of Reclamation, Secretary of Interior, and Secretary of War to take immediate action to protect Needles, California, and vicinity, from further damage and dangers resulting from the filling in of the Colorado River bed and the rise of the river since the completion of Federal projects upon that river;

Senate Concurrent Resolution No. 1—Relative to Joint Rules of the Legislature;

Senate Concurrent Resolution No. 5—Approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 4, 1943;

Senate Concurrent Resolution No. 6—Relative to Harry Lane Englebright;

Senate Joint Resolution No. 5—Relative to substitution of United States Army for War Relocation Authority in the administration of Tule Lake Japanese Center and other internment camps;

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 1 of Article XIII thereof, relating to revenue and taxation;

And reports that the same have been correctly enrolled and presented to the Governor on the thirty-first day of January, 1944, at 4:30 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 4—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code;

And reports that the same has been correctly enrolled and presented to the Governor on the thirty-first day of January, 1944, at 9:30 a.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Joint Resolution No. 2—Relative to increase of price of crude petroleum;

Senate Joint Resolution No. 6—Relative to memorializing the President and the Congress of the United States in relation to the discharge of disabled veterans from the armed forces;

Senate Concurrent Resolution No. 8—Relative to the death of Honorable Carl C. Baker;

And reports that the same have been correctly enrolled and presented to the Governor on the thirty-first day of January, 1944, at 4:30 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Concurrent Resolution No. 7—Relative to salaries of State prison guards;

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States in relation to the restoration of ordinary Standard Time in the winter months;

Senate Joint Resolution No. 9—Relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war;

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to revenue and taxation, proposed by the Legislature;

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California;

Senate Joint Resolution No. 3—Relative to memorializing Congress to enact legislation to make possible the 1944 sugar beet program recently announced by the Federal War Food Administration;

And reports that the same have been correctly enrolled and presented to the Governor on the thirty-first day of January, 1944, at 4.30 p.m.

SEAWELL, Chairman

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 1—An act providing for the reorganization of the State criminal, penal and correctional system, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of, and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949;

And reports that the same has been correctly enrolled and presented to the Governor on the thirty-first day of January, 1944, at 4.30 p.m.

SEAWELL, Chairman

MOTION TO STRIKE FROM FILE

Senator Seawell moved that Senate Bill No. 2, Assembly Constitutional Amendment No. 2, Assembly Joint Resolution No. 6, and Assembly Concurrent Resolution No. 7 be stricken from the file.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At 4 p.m., on motion of Senator Seawell, further proceedings under the call of the Senate were dispensed with.

RESOLUTIONS

The following resolutions were offered:

By Senator McBride:

Senate Resolution No. 23

Resolved, That the President of the Senate appoint a Committee of Three to notify the Assembly that the Senate is ready to adjourn sine die the Fifty-fifth (Third

Extraordinary) Session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 9 and to ask if the Assembly has any further communication to transmit to the Senate.

Resolution read, and, on motion of Senator McBride, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Hatfield, Deuel, and Parkman.

Senate Resolution No. 24

By Senator DeLap:

Resolved, That the President of the Senate appoint a Committee of Three to notify the Governor that the Senate is ready to adjourn sine die the Fifty-fifth (Third Extraordinary) Session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 9 and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and, on motion of Senator DeLap, adopted.

Appointment of Special Committee

The President announced, in accordance with the above resolution, the appointment of Senators Rich, Brown, and Biggar.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Joint Resolution No. 2

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to:

Assembly Bill No. 6

Assembly Bill No. 3

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day is returning the following bills upon which no further action will be taken:

Senate Joint Resolution No. 7

Senate Joint Resolution No. 8

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Military and Veterans Affairs

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Military and Veterans Affairs, to which was referred:

Assembly Joint Resolution No. 10

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

QUINN, Chairman

Committee on Revenue and Taxation

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 3

Senate Constitutional Amendment No. 1

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

RICH, Chairman

Committee on Governmental Efficiency

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 6

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

SWING, Chairman

Committee on Elections

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. PRESIDENT: Your Committee on Elections, to which was referred:

Senate Bill No. 5

Respectfully reports the same back without recommendation for the reason that no committee action has been taken.

BREED, Chairman

MOTION TO APPROVE JOURNALS

The Senate Journals of Thursday, January 27, 1944; Friday, January 28, 1944; Saturday, January 29, 1944; Sunday, January 30, 1944, were, on motion of Senator Seawell, approved as corrected by the Journal Clerk and Minute Clerk.

APPROVAL OF MINUTES

On motion of Senator Seawell, the Minutes of this day, January 31, 1944, were approved.

MESSAGE FROM THE ASSEMBLY

At 4.05 p.m., a committee from the Assembly, consisting of Messrs. Debs, Thompson, and King, appeared at the bar of the Senate, and announced that the Assembly had concluded its labors, and was prepared to adjourn the Fifty-fifth (Third Extraordinary) Session sine die.

REPORTS OF SPECIAL COMMITTEES

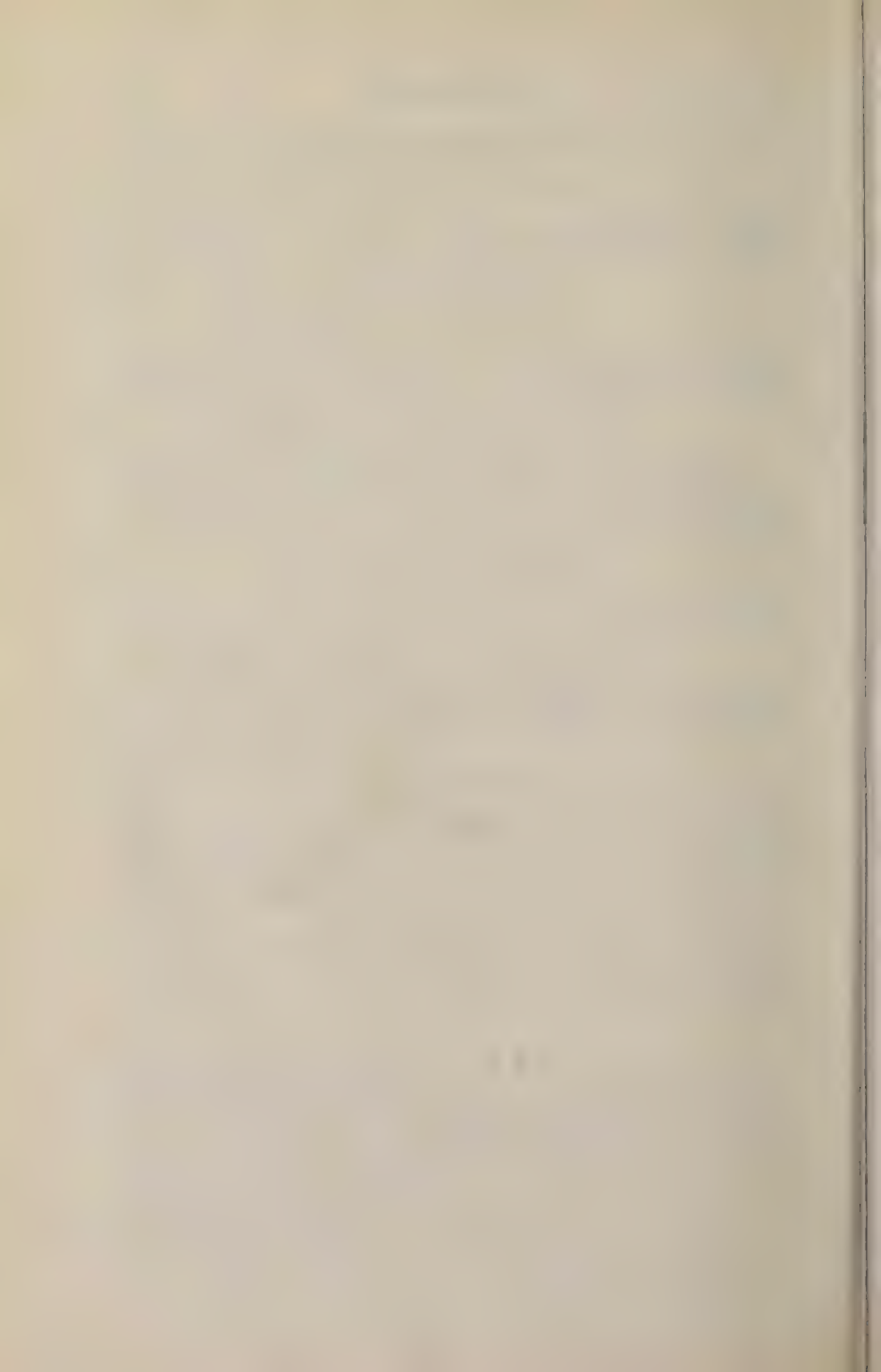
Senator Hatfield, as chairman of the committee appointed to inform the Assembly of the readiness of the Senate to adjourn sine die in accordance with the provisions of Senate Concurrent Resolution No. 9, reported that the committee had delivered the message to the Assembly, and had been requested by the Assembly to inform the Senate that it had no further business, and was prepared to adjourn sine die.

Senator Rich, as chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn sine die as provided by Senate Concurrent Resolution No. 9, reported that they had performed their duty.

FINAL ADJOURNMENT

Whereupon, at 4.30 p.m., on motion of Senator Seawell, in accordance with the provisions of Senate Concurrent Resolution No. 9 the President of the Senate declared the Fifty-fifth (Third Extraordinary) Session of the Senate of the State of California adjourned sine die, out of respect to the memory of the late Hon. Carl C. Baker.

JOHN F. LEA, Minute Clerk



SUPPLEMENT TO SENATE JOURNAL

FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

SENATE BILLS APPROVED BY THE GOVERNOR, CHAPTERED,
AND FILED WITH THE SECRETARY OF STATE

Number	Chapter	Author	Subject of Title	Approved by Governor
1	2	Deuel, Gordon, Hatfield, Mayo and Swan	An act providing for the reorganization of the State Criminal, Penal and Correctional System	Feb. 4
4	3	Swing	An act making an appropriation for expenses of Members of Senate pursuant to Section 35.2 of the Political Code	Feb. 4
7	6	Dillinger, Rich, Seawell and Collier	An act calling a special election for the same day Presidential Primary Election is held in 1944	Feb. 11

SENATE CONCURRENT RESOLUTIONS CHAPTERED AND
FILED WITH SECRETARY OF STATE

Number	Chapter	Author	Subject of Title	Date filed with Secretary of State
1	15	Seawell	Relative to the Joint Rules	Feb. 1
2	6	Crittenden	Relative to approving amendment to the charter, City of Stockton	Feb. 1
3	7	Breed, Deuel, Slater, Mayo, Judah	Relative to the death of Friend W. Richardson	Feb. 1
4	8	Judah	Relative to approving amendment to the charter, City of Santa Cruz	Feb. 1
5	16	Ward	Relative to approving amendment to the charter, City of Santa Barbara	Feb. 1
6	17	Seawell	Relative to the death of Harry Lane Englebright	Feb. 1
7	29	Keating	Relative to salaries of State prison guards	Feb. 4
8	30	Tickle	Relative to the death of Hon. Carl C. Baker	Feb. 4
9	31	Seawell	Relative to adjournment sine die	Feb. 4

SENATE CONSTITUTIONAL AMENDMENTS CHAPTERED AND FILED WITH SECRETARY OF STATE

Number	Chapter	Author	Subject of Title	Date filed with Secretary of State
2	20	Collier, DeLap, Dillinger, Mayo, Rich, Swing, Parkman, Tinkle, Breed, McCormack, Tenney, Ward, Quinn, Seawell	A resolution to the people of the State of California relating to taxing of Federal properties within the State	Feb. 1

SENATE JOINT RESOLUTIONS CHAPTERED AND FILED WITH THE SECRETARY OF STATE

Number	Chapter	Author	Subject of Title	Date filed with Secretary of State
1	18	Swing	Relative to taking action to protect Needles, California, from further damage by Colorado River	Feb. 1
2	32	Dorsey	Relative to increase of price of crude petroleum	Feb. 4
3	33	Crittenden, Hatfield, Luckey, McCormack	Relative to memorializing Congress to enact legislation to make possible 1944 Sugar Beet Program	Feb. 4
4	34	Burns, Gordon	Relative to the restoration of ordinary Standard Time in winter months	Feb. 4
5	19	Donnelly, Slater, Dorsey, Hatfield, Quinn	Relative to substitution of United States Army in the administration of Tule Lake Japanese Center and other internment camps	Feb. 1
6	35	Quinn, Slater, Mixer, DeLap, Luckey, Dorsey, Tenney, Swing	Relative to discharge of disabled veterans from the armed forces	Feb. 4
9	36	Hatfield, Quinn, Slater, Dorsey, Donnelly	Relative to the deportation of alien and inimical Japanese at the conclusion of the present war	Feb. 4

INDEX TO SENATE JOURNAL

THIRD EXTRAORDINARY SESSION

A

	PAGE
ABBOTT, MRS. U. S. Extended privilege of Senate floor.....	80
ADJOURNMENT	
Joint Convention	26
Sine die	143
ALCO, JULIAN	
Appointed to State Board of Prison Directors.....	35
appointment confirmed	117
ANDERSON, JUNE. Extended privilege of Senate floor.....	43
ARMSTRONG, DOUGLAS P. Appointed on Special Committee to escort Governor to Joint Convention.....	21
ASSEMBLY	
Messages from—	
Assembly ready to adjourn sine die.....	143
election of statutory officers of Assembly.....	29
organization of the Assembly.....	15
Notified—	
election of statutory officers of Senate.....	13
organization of Senate.....	15
Senate ready to adjourn sine die.....	143
ATTACHES. Appointment of, and salaries of.....	14, 41

B

BAKER, CARL C.	
Adjournment out of respect to memory of.....	143
Committee to attend funeral of, appointed.....	118
BAKER, HARRISON R.	
Appointed to California Highway Commission.....	35
appointment confirmed	94
BAMERT, LOREN	
Appointed to California Farm Production Council.....	34
appointment confirmed	93
BARTLETT, BERNARD Q. Extended privilege of Senate floor.....	79
BEEK, JOSEPH A.	
Elected Secretary of the Senate.....	3
Oath of office administered.....	3
BELLISLE, A. P. Appointed Assistant Secretary.....	14
BERRY, WILLIAM CLIFTON. Appointed on Special Committee to escort Governor to Joint Convention.....	21
BIGGAR, SENATOR GEORGE M. Appointed on Special Committee to notify Governor, Senate ready to adjourn sine die.....	142
BOLT, EDMUND. Extended privilege of Senate floor.....	79
BORELLI, MARY. Extended privilege of Senate floor.....	106
BOWERS, BERT. Extended privilege of Senate floor.....	2
BRANDY, MRS. ED. Extended privilege of Senate floor.....	2
BREED, SENATOR ARTHUR H., JR. Appointed on Special Committee to notify Assembly, organization of Senate.....	13
BRIDGES, MARGUERITE. Appointed stenographer.....	14
BRISTOW, BEVERLY. Extended privilege of Senate floor.....	43
BROWN, HOMER P.	
Appointed to California Highway Commission.....	34
appointment confirmed	94
BROWN, SENATOR CHARLES	
Appointed on Special Committee to notify Governor, Senate ready to adjourn sine die.....	142
Resolution by, Sergeant-at-Arms authorized to receipt for warrants.....	14
BRYANT, JAMES G.	
Appointed to California Employment Stabilization Commission.....	35
appointment confirmed	95
BUCKLEY, HOMER W.	
Appointed to California Unemployment Insurance Appeals Board.....	35
appointment confirmed	94
BURNS, SENATOR HUGH M.	
Resolution by, re Federal Absentee Voters Law covering service men and service women	74

	C	PAGE
CARTER, SENATOR OLIVER J.	Leave of absence.....	1
CHURCHMAN, H. W.	Extended privilege of Senate floor.....	31
CLEARY, LESLIE A.	Extended privilege of Senate floor.....	105
CLONEY, GEORGE G.	Extended privilege of Senate floor.....	79
COBB, KIRK.	Extended privilege of Senate floor.....	2
COLLIER, SENATOR RANDOLPH.	Resolution by, authorizing purchase of codes for members.....	117
COMMITTEES		
Attend funeral of late Carl C. Baker.....		118
Conference Committee concerning S. B. 1.....		91
Notify Assembly—		
organization of Senate.....		13
Senate ready to adjourn sine die.....		142
Notify Governor—		
organization of Senate.....		12
Senate ready to adjourn sine die.....		142
Rules—		
appoints Committee on Conference concerning S. B. 1.....		91
resolution by—		
mileage for Senators and officers of Senate.....		13
COMMUNICATIONS		
Hunter, J. H., Secretary, County Supervisors Association of California, re resolution.....		32
Lyons, Charles W., re legislative bills.....		44
Moore, George H., State Printer, re Legislative Printing Fund.....		32
Roberts, Frederick M.—		
re accomplishments of Governor Earl Warren.....		32
re California's hour of destiny.....		44
Ruggles, W. R., Chairman, San Joaquin County Board of Supervisors, re May and August primaries.....		33
CONNALLY, MARY E.	Extended privilege of Senate floor.....	43
COOK, ED. I.	Extended privilege of Senate floor.....	43
COTTER, MRS. CARL.	Extended privilege of Senate floor.....	105
COTTRELL, C. C.		
Appointed to Board of Trustees, Agnews State Hospital.....		34
appointment confirmed.....		92
CRAGEN, DOROTHY.	Extended privilege of Senate floor.....	31
CRITTENDEN, SENATOR BRADFORD S.		
Appointed on Special Committee to notify Assembly, organization of Senate.....		13
Communication to, re consolidation of May and August primaries.....		33
Resolution by, notify Assembly, organization of Senate.....		13
CUNNINGHAM, SENATOR R. R.	Resolution by, re increasing production of food and fiber.....	74
CUNNINGHAME, WILLIAM N.	Extended privilege of Senate floor.....	2
	D	
DE LAP, SENATOR T. H.		
Appointed on Special Committee to escort Governor to Joint Convention.....		21
Extended privilege of Senate floor.....		80
Resolution by, notify Governor, Senate ready to adjourn sine die.....		142
DEMERRITT, GIVEN.	Extended privilege of Senate floor.....	43
DENNISON, ALLEN.	Extended privilege of Senate floor.....	2
DEUEL, SENATOR CHARLES H.		
Appointed on Committee—		
Conference, concerning S. B. 1.....		91
notify Assembly, Senate ready to adjourn sine die.....		142
Motion to table amendments to S. B. 1.....		71
DILLINGER, SENATOR H. E.	Appointed on Committee on Conference concerning S. B. 1.....	91
DILWORTH, NELSON S.	Remarks of, re death of Miss Eleanor Miller.....	37
DITTO, ELIZABETH.	Extended privilege of Senate floor.....	80
DONNELLY, SENATOR HUGH P.		
Motion re Partial Report of Fact-Finding Committee on Japanese Resettlement.....		43
Resolution by, re increasing production of food and fiber.....		74
DORSEY, SENATOR JESS R.		
Resolutions by—		
re Federal Absentee Voters Law covering service men and service women.....		74
re increasing production of food and fiber.....		74
DRYDEN, LIEUTENANT ARTHUR.	Extended privilege of Senate floor.....	80
DRYDEN, MRS. ARTHUR.	Extended privilege of Senate floor.....	80
DWYER, REV. FATHER RICHARD C.		
Elected Chaplain of the Senate.....		3
Oath of office administered.....		4

E

	PAGE
ERICSON, EDWARD A. Extended privilege of Senate floor.....	31

F

FISH, JOHN. Extended privilege of Senate floor.....	80
FISK, JAMES. Extended privilege of Senate floor.....	79
FLETCHER, SENATOR ED. Resolution by, re increasing production of food and fiber	74

G

GARDENER, DUKE EVERETT S. Extended privilege of Senate floor.....	2
GARNIER, CAMILLE A.	
Appointed to California Farm Production Council.....	34
appointment confirmed	93
GARRISON, MAYNARD	
Appointed Insurance Commissioner.....	34
appointment confirmed	93
GILLIAM, FLORA. Appointed stenographer.....	14
GORDON, MR. AND MRS. WALTER A. Extended privilege of Senate floor.....	80
GORDON, SENATOR FRANK L. Resolution by, re increasing production of food and fiber.....	74
GOVERNOR EARL WARREN	
Address by, delivered to Joint Convention.....	22
Message from, re appointments by—	
Agnews State Hospital, Board of Trustees.....	33-34
confirmed	93
Employment, Department of	35
confirmed	94-95
California Employment Stabilization Commission.....	35
confirmed	94-95
California Farm Production Council.....	34
confirmed	93
California Highway Commission.....	34-35
confirmed	94
California Unemployment Insurance Appeals Board.....	35
confirmed	94
Fire Marshal, State.....	35
confirmed	95
Insurance Commissioner	34
confirmed	93
Prison Directors, State Board of.....	35
confirmed	117
Social Welfare, Director of Department of.....	35
confirmed	96
Youth Authority	35
confirmed	96
Notified of—	
organization of Senate.....	15
Senate ready to adjourn sine die.....	143
Proclamation of, calling special session.....	2
Report from, concerning certain proclamations.....	122
GUIDOTTI, AL. Extended privilege of Senate floor.....	2
GUIDOTTI, ALDO. Extended privilege of Senate floor.....	79
GUTHRIE, JAMES A.	
Appointed to California Highway Commission.....	34
appointment confirmed	94

H

HAMMOND, HARRY A. Appointed Assistant Secretary.....	14
HAMMOND, MARGARET. Appointed Assistant Secretary.....	14
HART, JOE	
Appointed to California Farm Production Council.....	34
appointment confirmed	93
HARTER, DELBERT KEITH. Extended privilege of Senate floor.....	43
HARTER, DELBERT KEITH, JR. Extended privilege of Senate floor.....	2
HARTER, MARDELLE. Extended privilege of Senate floor.....	43

	PAGE
HATFIELD, SENATOR GEORGE J.	
Appointed on Special Committee to notify Assembly, Senate ready to adjourn sine die	142
Motion by, re printing Japanese Resettlement Report in pamphlet form	80
Resolution by—	
re illness of Peter P. Myhand	33
re increasing production of food and fiber	74
re returning Japanese to the State	101
HAWKINS, AUGUSTUS F. Appointed on Special Committee to escort Governor to Joint Convention	21
HAWTHORNE, MARJORIE. Extended privilege of Senate floor	105
HAYWARD, MARY	
Appointed to Board of Trustees, Agnews State Hospital	34
appointment confirmed	92
HEISINGER, S. L. Appointed on Special Committee to escort Governor to Joint Convention	21
HETTMAN, MARY ANN. Extended privilege of Senate floor	2
HOLMES, GEORGE. Extended privilege of Senate floor	2
HOLT, CARROLL J. Extended privilege of Senate floor	80
HOLT, DIANNE. Extended privilege of Senate floor	80
HOLTON, KARL W.	
Appointed to Youth Authority	35
appointment confirmed	96
HOUGHTON, WM. Extended privilege of Senate floor	79
HOUSER, LIEUTENANT GOVERNOR FREDERICK F.	
Appoints Special Committee—	
attend funeral of late Carl C. Baker	118
escort Governor Earl Warren to Joint Convention	21
Presents communication—	
re California's hour of destiny	44
re legislative bills	44
HOUSER, MRS. FREDERICK F. Extended privilege of Senate floor	80
HUDSON, PRIVATE TED. Extended privilege of Senate floor	44
HUNTER, J. H. Secretary, County Supervisors Association of California. Communication from, re resolution	32
HURD, ELLA. Extended privilege of Senate floor	80
HURLEY, JERE. Extended privilege of Senate floor	31

J

JOINT CONVENTION	
Address of Governor Earl Warren	21
Adjournment of	26
Senate and Assembly meet in	21
JONES, HERBERT C.	
Appointed to Board of Trustees, Agnews State Hospital	33
appointment confirmed	92
JONES, MR. AND MRS. HERMAN. Extended privilege of Senate floor	31
JONES, VINA. Extended privilege of Senate floor	31
JORDAN, FRANK M., Secretary of State. Letter of transmittal from, re Governor's Proclamation	2
JORDAN, HARRY L. Appointed Assistant Secretary	14
JUDAH, SENATOR H. R. Appointed on committee to attend funeral of Carl C. Baker	118

K

KEATING, SENATOR THOMAS F. Resolution by, re Federal Absentee Voters Law covering service men and service women	74
KELLEY, BELLE. Extended privilege of Senate floor	105
KIMBERLE, TERESA M. Extended privilege of Senate floor	43
KNUDSEN, K. Extended privilege of Senate floor	106
KUCHEL, SENATOR THOMAS H.	
Leave of absence	1
Resolution by, re increasing production of food and fiber	74
KUNZ, MICHAEL B.	
Appointed to California Unemployment Insurance Appeals Board	35
appointment confirmed	94

L

LAHERTY, REV. JOHN J.	
Appointed to Board of Trustees, Agnews State Hospital	34
appointment confirmed	92

	PAGE
LAMPTON, EDGAR E.	
Appointed to California Unemployment Insurance Appeals Board.....	35
appointment confirmed	94
LEA, JOHN F.	
Elected Minute Clerk of the Senate.....	3
Oath of office administered.....	4
LEGISLATIVE COUNSEL.	
Opinion of, re creation of Interim Committee at special session	39
LEVERING, N. L.	
Appointed Journal Clerk.....	14
LIEUTENANT GOVERNOR. See HOUSER, LIEUTENANT GOVERNOR FRED-ERICK F.	
LYON, CHARLES W., Speaker of the Assembly. Announces temporary sus-pension of Rule 99.....	21
Appoints Special Committee to escort Governor Earl Warren to Joint Con-vention	21
Communication re legislative bills.....	44
Presents Governor Earl Warren to Joint Convention.....	21

M

MALONE, MARY.	Extended privilege of Senate floor.....	105
MARQUIS, NORMA.	Extended privilege of Senate floor.....	106
MASON, PAUL.	Appointed Assistant Secretary.....	14
MATHEWSON, MARGARET.	Extended privilege of Senate floor.....	105
MAYO, SENATOR JESSE M.	Appointed on Committee on Conference concerning S. B. 1.....	91
McBRIDE, SENATOR JAMES J.		
Appointed on Special Committee to escort Governor to Joint Convention.....		2
Resolution by—		
notify Assembly—		
Senate ready to adjourn sine die.....		142
election of statutory officers.....		13
re increasing production of food and fiber.....		74
McFADDEN, A. J.		
Appointed to California Farm Production Council.....		34
appointment confirmed		93
McCORMACK, SENATOR THOMAS		
Appointed on Special Committee to notify Governor, organization of Senate.....		13
Resolution by—		
notify Governor, organization of Senate.....		12
re increasing production of food and fiber.....		74
MILLER, ELIZABETH.	Extended privilege of Senate floor.....	43
MOORE, BARBARA.	Extended privilege of Senate floor.....	43
MOORE, GEORGE H., State Printer.	Communication from, re Legislative Printing Fund	32
MORRIS, HON. CLARENCE.	Extended privilege of Senate floor.....	44
MOTIONS		
Approve Minutes		143
Approve Senate Journals.....		143
Printing Japanese Resettlement Report in pamphlet form.....		80
print in Journal—		
Partial Report of Fact-Finding Committee on Japanese Resettlement.....		45
Report of Governor concerning certain proclamations.....		122
Report re Water Conditions at Needles, California.....		15
Re-refer S. R. 14 to Committee on Elections.....		138
Senate adjourn sine die.....		143
Strike from file, A. C. A. 2, A. J. R. 6, A. C. R. 7, S. B. 2.....		141
Table amendments to S. B. 1.....		71
MUGFORD, T. H.		
Appointed to California Employment Stabilization Commission.....		35
appointment confirmed		94
MURDOCK, MARGARET.	Extended privilege of Senate floor.....	43
MURRY, DAYTON.	Extended privilege of Senate floor.....	79
MYHAND, SENATOR PETER P.	Resolution re illness of.....	33

N

NICKLE, THEO.	Extended privilege of Senate floor.....	31
NICKLES, ELIZABETH M.	Extended privilege of Senate floor.....	43
NEILSEN, ANN.	Extended privilege of Senate floor.....	106
NOLAN, JOSEPH F.		
Elected Sergeant-at-Arms of the Senate.....		3
Oath of office administered.....		3

P

	PAGE
PARKMAN, SENATOR HARRY L. Appointed on Special Committee to notify Assembly, Senate ready to adjourn sine die.....	142
PASSADONE, ANN. Extended privilege of Senate floor.....	106
POMEROY, C. C.	
Appointed to Board of Trustees, Agnews State Hospital.....	34
appointment confirmed.....	92
POWERS, SENATOR HAROLD J.	
Resolution by—	
re Federal Absentee Voters Law covering service men and service women.....	74
re notifying Secretary of Senate of meetings of Interim Committees.....	120
re taxation of Federal property.....	76
PRICE, THOMAS. Extended privilege of Senate floor.....	2
PROCLAMATION	
Calling Legislature into special session.....	2
War Powers.....	122

R

REPORTS	
Governor, on War Powers Proclamations.....	122
Partial, on Japanese Resettlement.....	45
Water Conditions at Needles, California.....	15
RESOLUTIONS	
Attaches.....	14, 41
Authorizing—	
appointment of three members to attend funeral of Carl C. Baker.....	117
payment for repairs to Senate chairs.....	84
purchase of codes for members.....	117
Election of statutory officers of the Senate.....	3
Federal Absentee Voters Law covering service men and service women.....	74
Holidays for certain State employees.....	106
Increasing production of food and fiber.....	74
Illness of Peter P. Myhand.....	33
Mileage of Senators and officers of Senate.....	13
Notify Assembly—	
election of statutory officers of Senate.....	13
organization of Senate.....	13
Senate ready to adjourn sine die.....	142
Notify Governor—	
organization of Senate.....	12
Senate ready to adjourn sine die.....	142
Notify Secretary of Senate, meetings of Interim Committees.....	120
Pay expenses of Senate.....	84
Repairing chairs in Senate Chamber, payment for.....	84
Returning Japanese to the State.....	101
Senate organize and elect officers.....	3
Sergeant-at-Arms authorized to receipt for warrants.....	14
Standing Rules of the Senate.....	4
Taxation of Federal property.....	76
Voting by members of our armed forces.....	64
RICH, MRS. W. P. Extended privilege of Senate floor.....	80
RICH, SENATOR WILLIAM P.	
Appointed on Special Committee—	
notify Governor—	
organization of Senate.....	13
Senate ready to adjourn sine die.....	142
ROBERTS, FREDERICK M.	
Communications from—	
accomplishments of Governor Earl Warren.....	32
California's hour of destiny.....	44
RUGGLES, W. R., Chairman, San Joaquin County Board of Supervisors. Communication from, re May and August primaries.....	33
RULES	
Assembly Standing Rule 99, temporary suspension of.....	21
RULES COMMITTEE	
Appoints Committee on Conference concerning S. B. 1.....	91
Resolutions by—	
authorizing payment—	
expenses of Senate.....	84
repairs to Senate chairs.....	84
mileage for Senators and officers of Senate.....	13

S

	PAGE
SALSMAN, SENATOR BYRL R.	
Appointed on Special Committee—	
attend funeral of Carl C. Baker	118
notify assembly, organization of Senate	13
Resolutions by—	
holidays for certain State employees	106
re increasing production of food and fiber	74
SANDELIN, F. WALTER	
appointed to California Highway Commission	35
appointment confirmed	94
SCHUMACKER, HAZEL. Extended privilege of Senate floor	105
SCHWOERER, CHARLES. Extended privilege of Senate floor	2
SCUDDER, HUBERT. Extended privilege of Senate floor	80
SEAWELL, SENATOR JERROLD L.	
Appointed on Special Committee to escort Governor to Joint Convention	21
Elected President pro tempore of the Senate	3
Motions—	
approve Journals	143
approve Minutes	143
print Report of Governor concerning certain proclamations in Journal	122
Senate adjourn sine die	143
strike from file, A. C. A. 2, A. J. R. 6, A. C. R. 7, S. B. 2	141
Oath of office administered	3
Opinion to, re creation of Interim Committee at a special session	39
Resolutions by—	
Standing Rules of the Senate	4
voting by members of our armed forces	64
SHAY, FRANK M.	
Appointed to California Farm Production Council	34
appointment confirmed	93
SHELLEY, JAMES J. Extended privilege of Senate floor	44
SHELLEY, SENATOR JOHN F. Resolution by, re Federal Absentee Voters	
Law covering service men and service women	74
SHOCKLEY, ANNETTE. Extended privilege of Senate floor	105
SHUMATE, CLAIR. Extended privilege of Senate floor	79
SLATER, SENATOR HERBERT W.	
Appointed on Special Committee to notify Governor, organization of Senate	13
Resolutions by—	
re increasing production of food and fiber	74
Senate organize and elect officers	3
SMITH, C. ARNHOLT	
Appointed to California Highway Commission	34
appointment confirmed	94
SMITH, FRED W. Extended privilege of Senate floor	2
SMITH, THELMA. Appointed stenographer	14
SMITH, W. L.	
Appointed to California Farm Production Council	34
appointment confirmed	93
SPAINBOWER, CATHERINE. Extended privilege of Senate floor	31
STEIN, BOB. Extended privilege of Senate floor	106
STREAM, MRS. HOMER J. Extended privilege of Senate floor	79
SULLIVAN, BARBARA E. Extended privilege of Senate floor	43
SWEENEY, MARGARET. Appointed Chief Stenographer	14
SWAN, SENATOR JOHN HAROLD. Resolution by, re Federal Absentee	
Voters Law covering service men and service women	74
SWING, SENATOR RALPH E.	
Motion to print Report on Water Situation at Needles, California, in Journal	15
Resolutions by—	
election of statutory officers of the Senate	3
re increasing production of food and fiber	74

T

TEBBE, GEORGE A. Extended privilege of Senate floor	31
TENNEY, SENATOR JACK B. Unanimous consent granted, re printing of	
remarks by Assemblyman Dilworth on death of Miss Eleanor Miller	37
TICKLE, SENATOR EDWARD H.	
Appointed on committee to attend funeral of late Carl C. Baker	118
Communication to, relative to accomplishments of Governor Earl Warren	32
Motion to re-refer S. R. 14 to Committee on Elections	138
Resolutions by—	
attaches	14
authorizing the appointment of three members to attend funeral of Carl C.	
Baker	117

	PAGE
TOMASINI PHILIP. Assumed Pledge of Senate floor.....	14
TOMLIN JOHN. Extended privilege of Senate floor.....	1

V

VEON LIEUTENANT HARVEY. Extended privilege of Senate floor.....	46
VEON MR AND MRS H R. Extended privilege of Senate floor.....	46

W

WALLACE ALBERTA. Extended privilege of Senate floor.....	105
WALLENSTEIN JLSA. Extended privilege of Senate floor.....	44
WALLENSTEIN OTTO. Extended privilege of Senate floor.....	44
WARD HAROLD. Extended privilege of Senate floor.....	31
WARD SENATOR CLARENCE C. Resolved by, recommending presentation of Said and floor.....	74
WARLOW CHESTER H Appointed to California Highway Commission.....	35
WARREN LEMMA. Extended privilege of Senate floor.....	84
WARREN MRS EARL. Extended privilege of Senate floor.....	105
WHITTEN JER WARD M. Extended privilege of Senate floor.....	46
WICKS ETHEL. Extended privilege of Senate floor.....	112
WIGGINS CHAS. Extended privilege of Senate floor.....	112
WILLIAMS JOHN. Extended privilege of Senate floor.....	112
WILSON GEORGE H Appointed to California Farm Production Council.....	34
WINTERS ETHEL. Extended privilege of Senate floor.....	96
WOOLLENBERG CHARLES M Assumed Pledge of Senate floor.....	105
WOOLLENBERG CHARLES M Assumed Pledge of Senate floor.....	95
WRIGHT THOMAS A. Appointed Assistant Sergeant Arms.....	14
WYDE FRED R. Legislative Council. Granted by granting of Interior Com. Author of a Special Session.....	20

Y

YOCKERS JAMES R Assumed to Senate floor.....	94
YOCKERS JAMES R Assumed to Senate floor.....	95

Z

ZIEGENHAR MRS JULIA. Extended privilege of Senate floor.....	105
--	-----

TABLE OF ACTIONS ON SENATE MEASURES IN THE SENATE

No.	SENATE BILLS	PAGE
1	Introduced, to committee, 28; from committee, 39; read second time, amended, 40-41; read third time, 68; amendments offered, 69; amendments withdrawn, passed, to Assembly, 71; from Assembly, to unfinished business file, 83; Assembly amendments not concurred in, Senate appoints Conference Committee, 91; Assembly appoints Conference Committee, 103; Assembly adopts report of Committee on Conference, 113; Senate adopts report of Committee on Conference, to enrollment, 116; to Governor -----	141
2	Introduced, to committee, 29; from committee, read second time, 71; amended, 72, 73, 74; stricken from file -----	141
3	Introduced, to committee, 76; from committee without action -----	143
4	Introduced, to committee, 76; from committee, read second time, Constitution suspended, 85; read third time, passed, to Assembly, 86; from Assembly, to enrollment, 102; to Governor -----	140
5	Introduced, to committee, 76; from committee without action -----	143
6	Introduced, to committee, 87; from committee without action -----	143
7	Introduced, to committee, 100; from committee, Constitution suspended, read second time, 112; read third time, passed, to Assembly, 119, from Assembly, to enrollment, 138; to Governor -----	141

SENATE CONSTITUTIONAL AMENDMENTS

1	Offered, to committee, 28; from committee without action -----	143
2	Offered, to committee, 39; from committee, 64; read, 75; adopted, to Assembly, 76; from Assembly to unfinished business file, 83; Assembly amendments concurred in, to enrollment, 88; to Governor -----	140

SENATE CONCURRENT RESOLUTIONS

1	Offered, without reference to committee, read, adopted, to Assembly, 12; from Assembly, to enrollment, 80; to Governor -----	14
2	Offered, without reference to committee, read, adopted, to Assembly, 26; from Assembly, to enrollment, 39; to Governor -----	14
3	Offered, 26; without reference to committee, read, adopted, to Assembly, 27; from Assembly, to enrollment, 39; to Governor -----	14
4	Offered, without reference to committee, read, adopted, to Assembly, 27; from Assembly, to enrollment, 39; to Governor -----	140
5	Offered, without reference to committee, read, adopted, to Assembly, 36; from Assembly, to enrollment, 80; to Governor -----	140
6	Offered, without reference to committee, read, adopted, to Assembly, 75; from Assembly, to enrollment, 80; to Governor -----	140
7	Offered, without reference to committee, read, adopted, to Assembly, 87; from Assembly, to enrollment, 138; to Governor -----	140
8	Offered, without reference to committee, read, adopted, to Assembly, 107; from Assembly, to enrollment, 114; to Governor -----	140
9	Offered, without reference to committee, read, adopted, to Assembly, 109; from Assembly, Assembly amendments concurred in, to enrollment, 139; to Governor -----	141

SENATE JOINT RESOLUTIONS

1	Offered, 27; without reference to committee, 28; read, adopted, to Assembly, 38; from Assembly, to enrollment, 80; to Governor -----	140
2	Offered, without reference to committee, read, adopted, to Assembly, 37; from Assembly, to unfinished business file, 107; Assembly amendments concurred in, to enrollment, 119; to Governor -----	140
3	Offered, without reference to committee, read, adopted, to Assembly, 38; from Assembly, to enrollment, 138; to Governor -----	141
4	Offered, to committee, 66; from committee, 84; read, adopted, to Assembly, 85; from Assembly, to enrollment, 114; to Governor -----	140
5	Offered, to committee, 66; from committee, 82; read, adopted, to Assembly, 83; from Assembly, to enrollment, 103; to Governor -----	140
6	Offered, to committee, 66; from committee, 82; read, adopted, to Assembly, 83; from Assembly, to unfinished business file, 107; Assembly amendments concurred in, to enrollment, 121; to Governor -----	140
7	Offered, 67; without reference to committee, read, adopted, to Assembly, 68; from Assembly without action -----	142
8	Offered, to committee, 76; from committee, 80; read, adopted, to Assembly, 101; from Assembly without action -----	142
9	Offered, to committee, from committee, read, adopted, to Assembly, 118; from Assembly, to enrollment, 139; to Governor -----	140

SENATE RESOLUTIONS

No.		PAGE
1	Offered, 3; read, adopted-----	3
2	Offered, 3; read, adopted-----	3
3	Offered, 4; read, adopted-----	12
4	Offered, 12; read, adopted-----	13
5	Offered, 13; read, adopted-----	13
6	Offered, 13; read, adopted-----	13
7	Offered, 13; read, adopted-----	14
8	Offered, 14; read, adopted-----	14
9	Offered, 14; read, adopted-----	14
10	Offered, 33; read, adopted-----	33
11	Offered, 41; read, adopted-----	42
12	Offered, 64; read, adopted-----	65
13	Offered, 74; read, adopted-----	74
14	Offered, 74; read, referred to committee, 75; from committee, 101; amended, 102; re-referred to committee-----	138
15	Offered, 76; read, referred to committee, 77; from committee, 84; read, adopted-----	98
16	Offered, 84; read, adopted-----	84
17	Offered, 84; read, adopted-----	84
18	Offered, 101; read, adopted-----	101
19	Offered, 106; read, adopted-----	107
20	Offered, 117; read, adopted-----	117
21	Offered, 117; read, adopted-----	117
22	Offered, 120; read, adopted-----	120
23	Offered, 142; read, adopted-----	142
24	Offered, 142; read, adopted-----	142

TABLE OF ACTIONS ON ASSEMBLY MEASURES IN THE SENATE

ASSEMBLY BILLS

No.		Page
3	From Assembly, to committee, 106; from committee, Constitution suspended, read second time, amended, 110; urgency clause adopted, read third time, passed, to Assembly, 120; Senate amendments concurred in-----	142
6	From Assembly, to committee, 81; from committee, 87; Constitution suspended, read second time, amended, 96; read third time, passed, to Assembly, 138; Senate amendments concurred in-----	142
7	From Assembly, 99; Constitution suspended, read second time, read third time, passed, to Assembly-----	100

ASSEMBLY CONCURRENT RESOLUTIONS

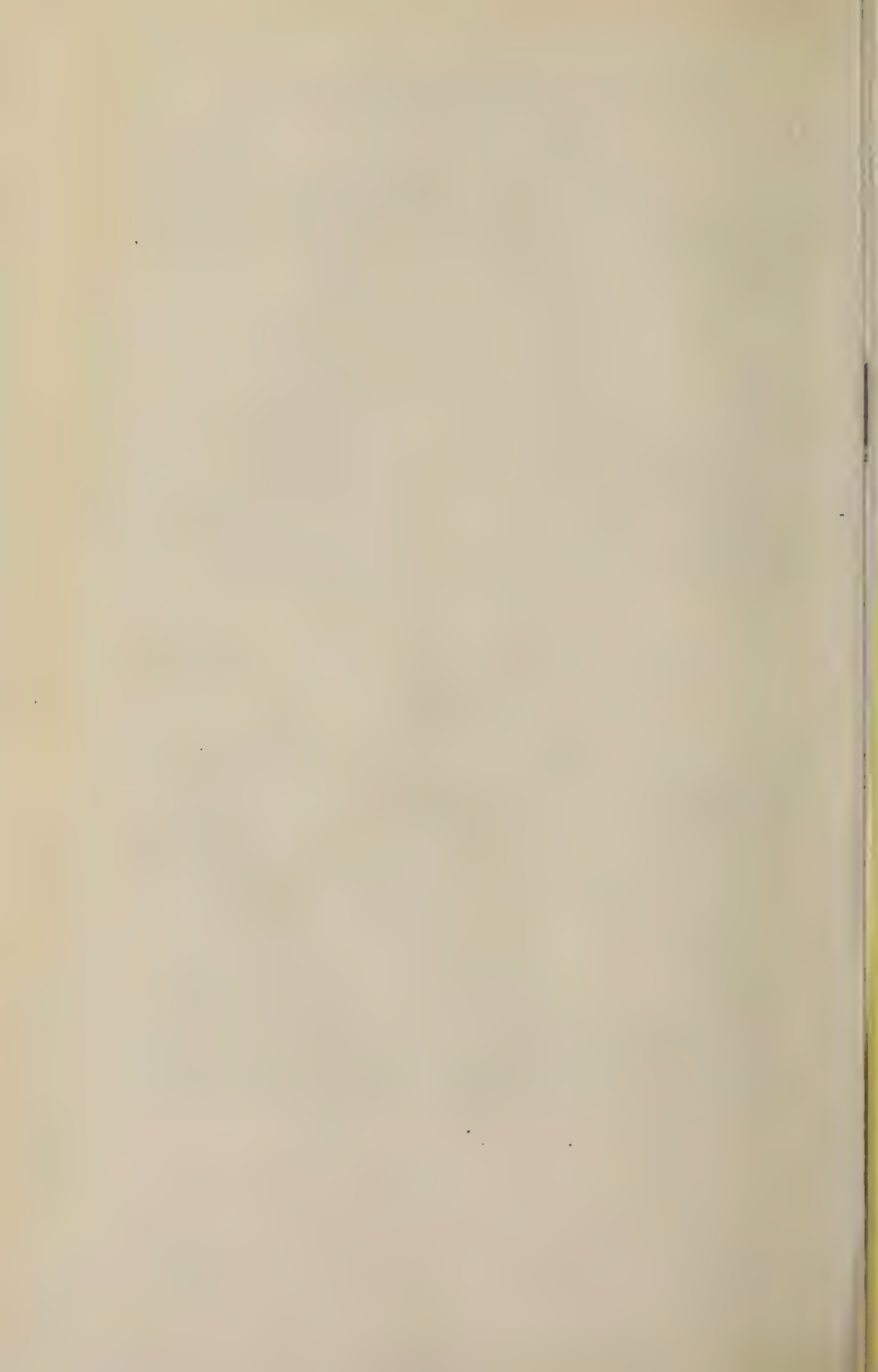
1	From Assembly, without reference to committee, 45; read, adopted, to Assembly-----	66
2	From Assembly, without reference to committee, 45; read, adopted, to Assembly-----	67
3	From Assembly, without reference to committee, 45; read, adopted, to Assembly-----	67
6	From Assembly, considered without reference to committee, read, adopted, to Assembly-----	36
7	From Assembly, without reference to committee, 36; stricken from file-----	141
8	From Assembly, without reference to committee, 45; read, adopted, to Assembly-----	66
9	From Assembly, 81; without reference to committee, 82; read, adopted, to Assembly-----	97
10	From Assembly, to committee, 87; from committee, read, adopted, to Assembly-----	113
12	From Assembly, considered without reference to committee, read, adopted, to Assembly-----	114

ASSEMBLY CONSTITUTIONAL AMENDMENTS

2	From Assembly, to committee, 87; from committee, 111; amended, 112; stricken from file-----	141
---	---	-----

ASSEMBLY JOINT RESOLUTIONS

1	From Assembly, 81; considered without reference to committee, read, adopted, to Assembly-----	82
2	From Assembly, to committee, 82; from committee, amended, 121; read, adopted, to Assembly, 122; Senate amendments concurred in-----	142
5	From Assembly, 107; considered without reference to committee, 108; read, adopted, to Assembly-----	108
6	From Assembly, 114; without reference to committee, 115; stricken from file-----	141
7	From Assembly, to committee, 82; from committee, read, adopted, to Assembly-----	86
10	From Assembly, to committee, 103; returned by committee without action--	142
11	From Assembly, considered without reference to committee, read, adopted, to Assembly-----	81
12	From Assembly, considered without reference to committee, read, adopted, to Assembly-----	99
13	From Assembly, considered without reference to committee, read, adopted, to Assembly-----	99
14	From Assembly, considered without reference to committee, 107; read, adopted, to Assembly-----	108
15	From Assembly, 107; considered without reference to committee, read, adopted, to Assembly-----	109
16	From Assembly, to committee, 106; from committee, read, adopted, to Assembly-----	118
17	From Assembly, 138; considered without reference to committee, read, adopted, to Assembly-----	139



APPENDIX TO SENATE JOURNAL



Preliminary Reports of Governor's Committee on Penal Affairs

Folsom Prison

☆ ☆ ☆ ☆

San Quentin Escapes

on December 26, 1943



Submitted to
Honorable Earl Warren
Governor of California

December 14, 1943 and December 31, 1943

Committee Members

Julian H. Alco, Chairman
Charles H. Deuel
Walter A. Gordon

Pierce H. Fazel
J. H. McClelland
Burdette J. Daniels

TABLE OF CONTENTS

	PAGE
Letter of transmittal to the Governor.....	5
I—Introduction	6
A—Scope of the Investigation.....	6
B—Governing Authority of Folsom Prison.....	6
C—Previous Reports and Investigations.....	6
II—Folsom Prison	7
A—Administration	7
B—Guard Line	10
C—Discipline	11
D—Employment	12
E—Racial Discrimination	12
III—Harvest Camps	12
A—Straloch Farms, Davis, California.....	12
B—Bear Valley Camp at Wheatland.....	13
IV—Conclusions	13

EXHIBITS

A. Audit Report on Larkin Hall.....	14
B. Baseball Betting Pool Sheet.....	21
C. Alco Report	22
D. Preliminary Report, San Quentin Escapes.....	36

GOVERNOR'S COMMITTEE ON PENAL AFFAIRS

SACRAMENTO, CALIFORNIA, December 13, 1943

*Honorable Earl Warren
Governor of California
State Capitol
Sacramento, California*

DEAR GOVERNOR WARREN: The committee which you appointed on November 29, 1943, to investigate and survey the penal system of the State of California, has covered the initial phase of its investigation as related to the operation of the California State Prison at Folsom. The investigation also included the operation of harvest camps operating under the jurisdiction of the Prison Authorities.

Your committee held hearings at Folsom Prison and at the State Capitol, Sacramento, on the following dates: Monday, November 29th; Tuesday, November 30th; Wednesday, December 1st; Saturday, December 4th; Sunday, December 5th; Monday, December 6th; Tuesday, December 7th; Wednesday, December 8th; Sunday, December 12th; and Monday, December 13th. At these hearings the committee heard testimony of 103 witnesses, including citizens and peace officers from the vicinity where harvest camps were located, and inmates, officers and employees of Folsom Penitentiary.

Also, there were two joint meetings held with the Board of Prison Directors, and one meeting held with Warden Clyde I. Plummer.

The accounting records have been examined and reports filed with the committee.

Your committee, during the course of its investigation, has inspected the physical properties of the prison and the prison ranch.

In accordance with your request, we are submitting to you at this time a preliminary report on Folsom Prison and its harvest camps only.

Respectfully submitted.

JULIAN H. ALCO, Chairman
(Member of the Board of Prison
Directors)

SENATOR CHARLES H. DEUEL,
Member

WALTER A. GORDON, Member
(Member of the Board of Prison
Terms and Paroles)

PIERCE H. FAZEL, Member
(Department of Finance)

J. H. McCLELLAND, Member
(Chief Special Agent for the
Attorney General)

BURDETTE J. DANIELS, Member
(Legislative Secretary to the
Governor)

I. INTRODUCTION

A. Scope of the Investigation

Governor Earl Warren's attention was called to certain practices that grew out of the employment of prisoners from Folsom Prison at the harvestry camps. Governor Warren obtained the assistance of Robert W. Kenny, Attorney General, to investigate the conduct of prison personnel and prisoners at the Straloch Ranch at Davis. The Attorney General's findings motivated Governor Warren on November 29, 1943, to call a group to consult and form a committee to survey and investigate the penal affairs of the State of California. The following committee was appointed:

Mr. Julian H. Alco.....	Chairman-Member of California State Board of Prison Directors
Senator Charles H. Deuel.....	California State Legislature
Mr. Burdette J. Daniels.....	Legislative Secretary to the Governor
Mr. Pierce H. Fazel.....	Department of Finance
Mr. Walter Gordon.....	Member of Board of Prison Terms and Paroles
Mr. Joseph H. McClelland.....	Chief Special Agent of the Attorney General's Office

The Governor desired an honest and unbiased appraisal of all of the penal institutions and affairs. The report was to contain factual data based not on hearsay, testimony, or rumor, but upon actual personal investigation. The urgency of the conditions at Folsom Prison required an immediate survey be made and this Preliminary Report is herewith handed to the Governor covering factual data, interviews held in the presence of the entire committee, inspection of departments, buildings and facilities under the jurisdiction of Folsom Prison authorities.

The classification of prisoners in California are divided into three groups for incarceration. A minimum offender is sent to the California Institution for Men at Chino; the medium offender is classified to the State Penitentiary at San Quentin; the maximum offender, or recidivist, is classified to the State Penitentiary at Folsom, which is likened to the Alcatraz in the federal penal system.

B. Governing Authority of Folsom Prison

The administration of the prison is under the jurisdiction of the State Board of Prison Directors appointed by the Governor, with the advice and consent of the Senate, for a term not to exceed ten years and without compensation. The duty and responsibility is the administration of the prisons, which include the hiring of the Wardens and the Clerks to the State Board of Prison Directors, conduct, health, employment of inmates, also their physical, spiritual and moral activities; the granting of credits for meritorious service;* the supervision of road, forestry and harvestry camps, and the supervision of the Detective License Bureau. All subordinate officers and employees of the prisons are appointed by the Wardens and removed at his pleasure. The Board of Prison Terms and Paroles, appointed by the Governor for a term not to exceed four years and receiving a compensation, fixes the time to be served under the indeterminate sentence law and grants paroles. The jurisdiction of the Folsom Prison also includes harvestry, forestry and road camps where Folsom prisoners were employed.

C. Previous Reports and Investigations

Previous surveys of the prisons have been made and many improvements have resulted therefrom. Much valuable material contained in these reports is available to this Committee. They are as follows:

- (1) *Governor's Committee for Investigation of State Penal Institutions* (Governor Olson), dated March 19, 1941.
- (2) *Survey of Food Purchase, Preparation and Serving at Folsom Prison*, by N. C. Leone, Inspector, Bureau of Food and Drug Inspection, Department of Public Health, dated September 30, 1941.
- (3) *Handbook of American Prisons and Reformatories*, published by The Osborne Association, Inc., combining the National Society of Penal Information,

* Also the statutory credits.

Inc., and The Welfare League Association, Inc., New York City, New York, dated 1942.

(4) *Report of Senate Interim Committee on Penal and Correctional Institutions*, by Senator C. H. Deuel, Chairman, dated March 17, 1943.

(5) *Julian H. Alco's Report*, Member of the Board of Prison Directors, dated July 1, 1943.

(6) *Report of Examination of the Books and Records of Accounts of the California State Prison at Folsom*, dated August 30, 1943.

II. FOLSOM PRISON

Folsom Prison, situated in Sacramento County approximately 25 miles Northeast of Sacramento, is a maximum security penitentiary consisting of 1900 acres, some of which is devoted to farming. The prison represents a capital investment of \$2,908,-739.00 as of June 30, 1943. Within the prison walls are located three maximum security buildings containing cell blocks, an administration building, hospital, tailor and shoe shop, chapel, trades building, laundry, barber shops, dental office, educational department, library, printing department, commissary, and other structures that go to make up the prison institution. While there is considerable new construction, there are several portions of the prison that are somewhat of an antiquated nature.

At the present time there are 165 guard positions authorized. These guards have the responsibility of policing and maintaining order within the prison walls and the ranch adjacent to the prison proper. There are 50 free personnel not included in the Guard line consisting of heads of the different departments operating within the prison, such as the commissary, the tailor and shoe shop, the hospital, and including a Clerk, representing the Board of Prison Directors and three chaplains representing the Catholic, Protestant and Jewish faiths.

At the present time the inmate population of Folsom Prison is approximately 1675, as compared with an inmate population in 1940 of 2963, at which time there were 158 guards employed.

A. Administration

1. Organization and Management

Folsom Prison is under the supervision and responsibility of the Board of Prison Directors, as is set forth in Section 2 of Article X of the Constitution of the State of California. This is also true of San Quentin Prison and the Chino Institution for Men located in San Bernardino County. The policies under which the prisons operate emanate from this board. The Board of Prison Directors appoints the wardens of these respective institutions for a period of four years, subject to be removed by the board for misconduct or malfeasance in office. The warden of Folsom Prison is responsible for the operation of that institution and is accountable only to the Board of Prison Directors. He is charged with the performance of duties as prescribed in Sections 1578 and 1587 of the Penal Code, and to perform such other duties as may be prescribed by the Board of Prison Directors.

Warden Clyde I. Plummer was reappointed by the board on November 11, 1942, and submitted his resignation to the board on December 10, 1943, as warden of Folsom Prison. The warden appoints all guard personnel, which consists of a captain, a lieutenant and sergeant for each of the watches, and other free personnel that are used in the various functional operations of the prison.

The committee, as a result of its investigation, has found the lack of proper instruction and supervision over the free personnel causing friction and lack of cooperation among the employees, as follows:

(a) The lines of administrative authority are not adequately or clearly defined. As a result of this the warden upon assignment of an employee to a specific duty gives instructions to such employee without first consulting with the employee's immediate superior or with a subordinate officer.

(b) Employees are assigned to posts of duty without receiving written instructions defining the administrative policy to be followed in connection with the duties to be performed.

(c) Apparent conflict of administrative authority exists between the warden and the captain of the guard. This has materially deterred the proper operation of the prison by creating divided loyalty. This is exemplified by the facts submitted to the committee whereby the captain of the guard, having made a decision, would be

reversed or countermanded by the warden without consultation with the captain of the guard.

(d) Evidence has been adduced concerning manipulations of meritorious time credit awards to inmates. The warden has the power of recommending an inmate for such credits to the Board of Prison Directors. The board may, upon such recommendation, award time credits to deserving inmates for special work of a meritorious character. The evidence shows that the inmate secretary to the warden occupied a position in which he could influence the obtaining of such credits for inmates.

(e) Certain guards who appeared before the committee stated that there was lack of understanding as to their respective duties in connection with the administrative operation of the prison. This lack of understanding is due to neglect on the part of the administrative heads to hold conferences so that there might be an exchange of ideas to the mutual problems which confronted them. This aloofness or lack of cooperation has brought about a serious personnel problem existing among the employees of the prison.

(f) The captain of the guard states that due to the creation of many additional assignments by the administrative head of the prison, there has been a dissipation of the employee manpower to such an extent that at the present time 165 guards are required to take care of an inmate population approximating 1,675, as compared with 158 guards caring for an inmate population of 2,850 in 1938 and 1939. Presently there is one guard for approximately each 10 inmates, whereas in 1938 and 1939 there was one guard for each 18 inmates.

(g) Reports filed with the committee show that contracts have been entered into by executive officers without furnishing the accounting office with required information or obtaining the approval of the Director of Finance as required by law.

(h) The committee finds that a gas station located on the prison property was built by inmate labor, using prison materials, for the use of the members of the Officers and Guards Association. The committee was unable to locate any contract covering this construction and no record of any charge is made for the rental or for the water and electricity supplied to the gas station by the prison. Also, convict labor is being used at the present time in the operation of this filling station.

2. Fiscal Operations

(a) The capital investment of Folsom penitentiary is segregated as follows:

Land	\$61,401 50
Improvements	2,377,323 05
Equipment	471,014 93

(b) The records disclose that the net operating expenses for the last fiscal year amounted to the sum of \$1,191,187.00.

(c) The per capita cost computed on the basis of all of the expenses for the operation of Folsom penitentiary, including overhead of general State departments, was \$1.70 per day for the last fiscal year.

(d) Reports filed with the committee disclose that the account books and records are in a satisfactory condition.

(e) Supplies have been purchased by department heads and officials before obtaining authorized purchase orders.

(f) Employees Maintenance Receivable account from December 1, 1939, to November 30, 1943, included \$4,992 70, covering meals served to guests without charge, which is contrary to regulations. The report filed with the committee states that this amount of money is now due the State.

(g) A comparison of inventory and accounting records discloses many differences. The accounting office has not maintained store records for supplies held at the cannery for the San Quentin Prison canning account. A shortage of approximately 45 tons of coal used for heating purposes valued at \$495 00 was disclosed. Accounting control has not been maintained over purchases of clothing which is issued to inmates when released on parole or discharged. There is an apparent shortage of 446 shirts. Also approximately 4000 No. 10 cans of carrots were spoiled during the 1943 summer operations of the cannery. The reason for this spoilage has not as yet been ascertained by the committee.

(h) The prison quarry located in what is commonly known as "the lower yard" has operated at a loss since the 1941-1942 fiscal year. The loss for this fiscal year was \$3,866.01, and for the first 10 months of the 1942-1943 fiscal year the loss was \$4,636.33.

(i) The reports filed with the committee disclose that during the 1941-1942 fiscal year certain Folsom Prison ranch activities were operated at a loss as follows:

Field crops -----	\$2,772 48
Hog ranch -----	1,675 33
Poultry ranch -----	1,785 30

(j) Records disclose that the canteen operations are unsatisfactory in that control records are incomplete and not properly maintained.

(k) An examination of the records maintained by the warden of receipts and disbursements of moneys received from the use of Larkin Hall for entertainment purposes by outside organizations revealed that \$4,198.05 was received during the period from March 29, 1941, to December 6, 1943. Of this amount \$152.00 was deposited with the accounting office on November 2, 1943, for transmission to the State Treasury. The expenses totaling \$1,837.36 were incurred for dinners and entertainment. In addition, disbursements totaling \$1,894.85 were made from these funds for various unauthorized expenditures, the majority of which were not supported by vouchers. As no funds were on hand as of December 6, 1943, the disposition of the balance of the receipts is not accounted for in the records. The disbursements made from the moneys received for the use of Larkin Hall do not constitute proper disbursements and can not be accepted as a discharge of accountability. Hence the sum of \$4,046.05, representing receipts for the use of Larkin Hall, is due the State Treasury.

The establishment of this fund and the use of Larkin Hall as above indicated appears to be contrary to an Attorney General's opinion dated August 19, 1942, No. NS4361, and is in violation of Section 2709 of the Penal Code.

Attached to this Preliminary Report and marked Exhibit "A" is a letter of transmittal dated December 8, 1943, to the committee from the Department of Finance, including a copy of the Attorney General's opinion above referred to, and a statement of cash receipts and disbursements for the use of Larkin Hall from March 29, 1941, to December 6, 1943.

3. Classification Board.

The first classification board was appointed by the Board of Prison Directors on or about April 21, 1942. The purpose of this board was to classify the entire inmate body as to custodial security. The personnel of the board at the present time consists of

Clerk of the Board of Prison Directors
 Captain of the Guard
 Head of the Educational Department
 Head of the Medical Department
 Record Clerk

The inmates were classified by this board in the following categories:

MAXIMUM	Constant personal supervision within the lower yard.
CLOSE	Can be assigned to any work within the walls, but can not be assigned to work or taken without the walls under any condition.
MEDIUM "A"	May work outside the walls under the observation of and entirely surrounded by armed guards. Example: Ranch Rock Gang.
MEDIUM "B"	May be assigned to work outside of prison walls under constant observation of one armed guard. Example: Ranch Rock Gang.
MEDIUM "C"	Under guard line, but not necessarily under constant observation of guard. Example: Valley house gardeners and Valley employees generally.
MINIMUM RESTRICTED	Can be assigned to any task within or without the walls with exception of Valley.
MINIMUM	Can be assigned to any task within or without the walls requiring no supervision whatever at any time.

Members of the classification board appeared before the committee and admitted that the method of classifying prisoners was inadequate and impracticable for the following reasons:

(a) Prior to July 1, 1943, prisoners were not personally interviewed. After July 1, 1943, the board was instructed to conduct interviews, but this practice was later discontinued.

(b) One member admitted he did not have sufficient experience to appraise the prisoners for the purpose of classification.

(c) Lack of attendance at classification board meetings by certain members.

(d) The warden overruled the decisions as to classifications made by the board in a number of instances.

It is readily observed by the committee that the functions of the classification board are of great importance and are almost equivalent to the work performed by the Board of Prison Terms and Paroles. A direct result of the failure of this board to properly classify prisoners and to have its classifications recognized and upheld is exemplified by the trouble and the deplorable conditions existing in some of the prison camps. For an example, at the Straloch Farms Camp at Davis several prisoners were released for work at that camp whose term of sentence had not been fixed by the Board of Prison Terms and Paroles, and others whose minimum terms had not been served, which is the most flagrant form of classification. This situation also existed at the Bear River Camp, Wheatland, California, and the Stockton Camp. Also, the record reveals that some of the prisoners had life sentences to serve and many had at least five years of their sentence remaining. Many of these prisoners released for this type of outside work were serving sentences for aggravated crimes, and practically all of these prisoners were recidivists.

We are submitting this criticism of the way the classification board functions in a constructive light and in no way do we infer that these prisoners as described are beyond rehabilitation. However, we feel that it is unfair to the prisoners themselves to be placed in the position of temptation without proper supervision. The scandalous conditions that existed in connection with the operation of at least one of the prison camps clearly shows that the general public was not properly safeguarded or protected.

Furthermore, your committee is of the opinion that:

No prisoner should be sent to any camp unless he personally expresses a willingness to serve there;

No prisoner should be sent to a camp who has previously escaped from a camp;

No prisoner should be released to a camp who has been returned for previous violations of rules and regulations;

No prisoner should be sent to a camp who has a deportation warrant or a "hold" against him; and

No prisoner should be released to a camp whose sentence has not yet been fixed by the Board of Prison Terms and Paroles.

The committee is of the belief that classification of prisoners for work in outside camps should be considered in the light that such camp experience is to prepare him for his return to society, and hence his release for this work must be in anticipation of his discharge or his release upon parole.

B. Guard-Line

It is apparent to the committee, from the statements made by numerous guards, that one of the principal causes of inefficiency and indifference among the guard-line was the disrespect of the guards by the prisoners and disobedience of their orders. Frequently prisoners would curse-out guards, and disobey their instructions. As one guard stated to the committee, "Prisoners on many occasions had told him to go to hell in defiance of his orders".

Lack of regulations is evident everywhere within the prison, as well as in the harvest camps. Guards are assigned to positions of importance and are then left to use their own initiative as to the manner in which the duties were to be performed.

It was related by the Captain of the Guards and others that on numerous occasions the warden would countermand his instructions without consulting him, relative to the duties necessary to properly guard the prison, and encourage the guards to disregard such orders. This caused friction and discontent among the guards and other personnel of the organization.

Much testimony was received by the committee concerning the activities of "con-bosses", wherein these so-called bosses were permitted to do many things which gave

them too much control of certain activities within the prison. One of the prisoners afforded these privileges stole a piece of fire equipment—overturned it—resulting in approximately \$200.00 damage. Furthermore, many prisoners holding "key" positions permitted trafficking in food, clothing, shoes and general commissary goods. These services were always accompanied by some kind of "pay-off". The granting of unusual privileges to prisoners contributed greatly to the low morale of the guard-line.

C. Discipline

Discipline is vital to the reformation of prisoners, whereas a lack of it in the prison is a detriment to any rehabilitation program.

1. As previously mentioned, the prison practice permits the warden to recommend to the State Board of Prison Directors on his monthly report that certain prisoners be allowed extra credits for meritorious service. These credits are in addition to the credits a prisoner receives as prescribed by law and earned for good conduct. In this connection guards should be thoroughly instructed in their duties and responsibilities, and they should have a full realization of the importance of strict discipline among prisoners. An in-service training program of necessity should exist, the committee however finds that there is no training program for guards at Folsom.

The committee finds that due to activities and privileges afforded certain prisoners, extra meritorious credits were in some instances obtained for a given consideration. Such a practice tends to break down the morale of the prisoners and hampers the parole system.

2. The State Board of Prison Directors placed a \$10.00 limit on the prisoners for purchases at the canteen. Withdrawals by prisoners from trust accounts have frequently exceeded this amount, creating dissatisfaction among the other prisoners.

3. Gambling in many forms is participated in by some of the prisoners, which has resulted in non-payment of gambling debts, highjacking of commissary supplies, and fighting.

4. Under the present classification program, prisoners who practice sex perversion are sent to Folsom Prison and it is conceded that more of this type exists at Folsom than any of the other prisons in California. Therefore, extra diligence and alertness should have been exercised by the warden and the guards in handling this problem. Several locations in the prison existed where illicit practices were indulged, and while the Prison Board recommended prisoners in single cells, this order was not carried out in its entirety. The warden's attitude in the handling of this serious situation is reflected on the guard-line and there was testimony from many guards that when a guard detected two inmates in this illicit practice, the guard's testimony should be accompanied by proof on a handkerchief or piece of paper before the prisoner would be found guilty. Some guards felt that they would rather overlook the offense then subject themselves to the carrying out of the warden's instructions.

Sex perversion has been the cause of many fights and stabbings within the prison. The committee is of the opinion that all means should be exercised by prison officials to control this evil. Also, every precaution against irregular manipulation of cell changes for immoral practices should be exercised.

5. Several prison officials, guards and prisoners testified against the power and influence exerted by certain prisoners. The warden's practice of depending on inmate secretaries is evidenced by the fact that the following prisoners were employed by him on different occasions successively:

Burroughs M. McGraw, 22230
Charles B. Jones, 19944
Frank Howard, 20213
Burroughs M. McGraw, 22230
Oliver J. Peterson, 22848
Frank Howard, 23602
John F. Kurtin, 22784
Benjamin F. Crandall, 24369

6. As heretofore commented upon, the schism in the guard-line made it difficult to maintain proper discipline. This situation developed by virtue of a breach between the warden and the Captain of the Guard. Many guards complained that in some of the best positions, such as the double pay at the camps, favoritism was shown.

D. Employment

Folsom Prison is not an industrial prison and has always been looked upon as a policing problem. The idleness in the past has been costly to the morale of the prisoners. The average employment was considerably less than four hours per day. A comprehensive work program should be established taking into consideration the physical condition and character of the prisoner. The absence of a definite, initial work program for every prisoner who comes to Folsom is a serious handicap to the prisoner's future development. It is the opinion of the committee that a work and a vocational program should be established immediately.

1. The working conditions at the tailor and shoe shops located in the basement of the old administration building is a symbol of the old sweatshop conditions. The ventilation and light are very poor, and supervision by the officers of the prisoners and the materials is most inadequate. Guards admitted their inability to properly supervise contraband materials being removed from the shop.

2. The practice of permitting prisoners who work in the laundry to make extra money for hand work should be stopped.

3. The print shop should be carefully watched to prevent printing of betting forms. Attached to this report as Exhibit "B" is a copy of a betting sheet which was printed and formerly used within the prison.

E. Racial Discrimination

The moral and spiritual development of the prisoner must be encouraged to prepare him for citizenship. Hatred, resentment and intolerance are contributing factors to crime and the prison authorities must be wise in the example they set and the policies they establish in this regard. Great bitterness and problems of violence have developed out of this situation in civilian communities and it is wise for prison management to heed the warning and develop policies that lead towards the curing of any form of racial discrimination. This committee advises careful study, planning and analysis of the subject and that definite steps should be taken with wisdom and judgment in the handling of this problem.

The committee finds that there exists at Folsom Prison a segregation of negroes as to their ceiling and mess hall seating. Segregation inevitably leads to discrimination.

The fact that racial discrimination has existed since the inception of Folsom Prison is no excuse for the continuance of this practice, and the opportunity of curing this situation in the prison is bound to be a forward step in the prisoner's character development. The close confinement of the prisoner in the penitentiary limits his outlook and he is in a more formative stage to develop stronger prejudices, hatreds and wrong ideas. It is the most opportune time for the State to break down the bad habits of intolerance and hatred, which otherwise would forecast the prisoner's failure when he is released.

The committee, therefore, recommends that the State Board of Prison Directors take steps for an immediate survey of this situation for the purpose of healing racial discrimination and demonstrating a forward, progressive program.

III. HARVEST CAMPS

The 1941 session of the Legislature enacted a statute providing for the temporary removal of prisoners to harvest crops and fight fires. The system has operated and a large number of prisoners have profited both financially and from a rehabilitation standpoint in their participation in the program. Likewise, many ranchers have been aided materially and the war effort has been enhanced by the application of manpower to many divergent enterprises.

The Board of Prison Directors established adequate rules and regulations covering the operations of harvest camps, which in certain instances were disregarded.

The following conditions existed:

A. Straloch Farms, Davis, California

1. No definite instructions were given the supervising guards in charge, by the warden.

2. Definite camp limits were not properly posted.

3. Some prisoners frequently roamed in the vicinity of the camp, imposing upon neighbors in the community, frequenting beer parlors and restaurants, and trading and selling prisoners' commissary supplies.

4. Drinking and gambling in the camp was reported.

5. In violation of the rules and regulations, prisoners associated with women, both inside and outside the camp.

6. Several prisoners left the camp, without guard. In particular one prisoner stayed away from the camp for as long as 16 hours on three different occasions, visiting San Francisco. Another prisoner testified that during a period of 2½ months he absented himself from camp about 45 times.

7. Some prisoners received and sent uncensored mail at a neighboring ranch, contrary to rules.

8. Some prisoners used a telephone at a neighboring ranch. Another prisoner used any one of the three phones at the camp, for personal calls, contrary to the rules.

9. The guards at the camp were inefficient and incompetent.

From the evidence supporting the above mentioned infractions, it is evident that the camp was grossly mismanaged.

B. Bear River Camp at Wheatland.

This camp was better operated than the Straloch Camp.

1. The practice of prisoners driving trucks on public highways to and from work on adjacent farms was contrary to rules.

2. There were instances of prisoners leaving the camp and purchasing beer at a nearby tavern, but upon discovery by the guard they were immediately returned to Folsom Prison.

In view of attitudes and testimony expressed by law enforcement officers of different communities regarding the establishment of camps, the following suggestions are offered:

1. Names of prisoners, with description and pictures, and type of work, should be furnished local law enforcement agencies.

2. When any permanent change of camp location is made, the officials in the new locality should be immediately notified.

3. No prisoners should be assigned to a harvest camp in the county where his crime was committed.

4. That the Board of Prison Directors devise a plan by which the rate of pay to all prisoners in camps might be equalized. The inequality of pay between the harvestry camps and the forestry camps varying from \$15.00 per month to \$400.00 per month, is unwise.

5. The committee is of the opinion that it would be better practice to have two guards at the camp than one guard with dual pay. The guards are being paid \$205.00 per month by the State, and \$250.—and keep per month by the ranch owners, making a total of \$455.00 and keep per month. The presence of the two guards would be helpful in the event of an escape or in the event one of the guards had to absent himself from the camp for any good reason.

Before concluding this report, the committee feels that it would be derelict in its duty if certain investigation reports were not called to your attention. We recommend your consideration of the following reports covering investigations of the California penal system. They are:

1. JULIAN H. ALCO report on Folsom Prison submitted to the Board of Prison Directors on July 1, 1943, which is attached to this report and marked Exhibit "C."
2. THE SENATE INTERIM COMMITTEE report on penal and correctional institutions, Senator Charles H. Deuel, Chairman, dated March 16, 1943, is attached to this report as Exhibit "D."
3. Excerpts from the HANDBOOK OF AMERICAN PRISONS AND REFORMATORIES published by the Osborne Association, Inc., which excerpts deal principally in the need of centralizing existing correctional activities in California, and is attached to this report as Exhibit "E."

CONCLUSIONS.

The committee in submitting this Preliminary Report on Folsom Prison operation to you, is of the opinion that the conditions hereinabove set forth as existing at Folsom demand immediate correction. Many of the problems found are peculiar to Folsom and can be remedied by the authorities upon whom rest the responsibility for the proper conduct of our prisons, namely, The Board of Prison Directors, State Department of

Finance, and the Attorney General. There are other conditions manifest at Folsom that involve fundamental changes in our entire penal system, and the committee is reserving its judgment and final recommendation until a more complete survey and investigation of the remaining prison bureaus or boards is made.

Respectfully submitted,

JULIAN H. ALCO, Chairman
(Member of the Board of Prison
Directors)

SENATOR CHARLES H. DEUEL
Member

WALTER A. GORDON, Member
(Member of the Board of Prison
Terms and Paroles)

PIERCE H. FAZEL, Member
(Dept. of Finance)

J. H. McCLELLAND, Member
(Chief Special Agent for the
Attorney General)

BURDETTE J. DANIELS, Member
(Legislative Secretary to the
Governor)

EXHIBIT "A"

December 8, 1943

Mr. Julian H. Alco
Chairman, Governor's Committee on Penal Affairs
Sacramento, California

DEAR SIR: Herewith is a report on the examination of records maintained by Warden C. I. Plummer of the receipts and disbursements of moneys received from the use of Larkin Hall by outside organizations during the period March 29, 1941, to December 6, 1943.

Larkin Hall was constructed by the State as a recreation hall for the employees of the prison at Folsom. Previous audit reports have indicated that the hall was used to give dinners and entertainment to outside organizations and that no record of the receipts and disbursements of moneys received from this source was reflected on the books of the prison. No authorization from the Department of Finance, as provided by Section 675, Political Code, was secured by the warden for the use of the hall by outside organizations. The food served at the dinners was prepared in the prison kitchen and served by inmates.

The Attorney General in opinion NS4361, dated August 19, 1942, held that the leasing of this hall to outside organizations must be approved by the Department of Finance and that any revenue received would inure to the benefit of the General Fund. The opinion also states that the serving of meals prepared in the prison mess and served by inmates was contrary to the provisions of Section 2709, Penal Code.

On June 10, 1943, during the course of an audit of the prison books, a copy of the above opinion was presented to Warden Plummer, and request made for any records which he had maintained of the receipts from the use of Larkin Hall in order to determine the amount due the General Fund. Warden Plummer stated that, while he had maintained records of the receipts and disbursements of the moneys received from this source, he would not permit an examination of these records unless ordered to do so by the Board of Prison Directors. He further stated that these activities were known to the Board of Prison Directors and had not been objected to by the board. This refusal to present records for audit was reported to Lawrence Rouble, Chief, Division of Audits, on June 14, 1943.

On December 6, 1942, Warden Plummer was contacted and informed us that the records maintained by him of the receipts and disbursements of moneys received from the use of Larkin Hall were in the safe in the warden's office. These records were subsequently obtained from Acting Warden James Adam.

The examination disclosed that the records were in memorandum form only; that disbursements were made by cash, and that the invoices and vouchers supporting

disbursements were incomplete. The data presented on the accompanying schedules are based on the records examined and are subject to the qualifications noted above concerning these records. No information relative to the Kiwanis' dinner on August 28, 1943, and the Sciots' dinner on October 31, 1943, was recorded in the memorandum book. Data on the receipts from these two dinners was obtained from Warden Plummer. Records of the expenditures for these dinners are incomplete.

Based on the records examined, total receipts from the use of Larkin Hall by outside organizations were \$4,198.05 during the period March 29, 1941, to December 6, 1943. Of this amount, \$152 was deposited on November 2, 1943, in the prison cash state account from the proceeds of the Sciots' dinner on October 30, 1943. The supplies for this dinner were furnished by the prison and the amount deposited represents 380 meals at 40 cents each, which is the price charged for meals in the officers' and guards' mess. As the amount received represented a recovery of cost of prison supplies, the payment was remitted to the State Treasurer as an abatement to the support appropriation.

The memoranda examined shows that expenses totaling \$1,837.36 were incurred for the dinners and entertainment at the events, which expenses were paid from the receipts. Invoices and vouchers supporting these disbursements are not complete. In addition, disbursements totaling \$1,894.85 were made from these funds for various expenses. A detail of these expenditures is presented in Account III. The majority of these disbursements are not supported by vouchers. As no funds were on hand on December 6, 1943, the disposition of the balance of the receipts in the amount of \$390.79 are not accounted for on the records. It was stated by Warden Plummer that this amount included in the receipts from the Kiwanis' and Sciots' dinners was disbursed for supplies and expenses incurred for these dinners.

The disbursements made from the moneys received for the use of Larkin Hall do not constitute proper disbursements and can not be accepted as discharge of accountability. Therefore, it is recommended that the amount of \$4,046.05, representing receipts from the use of Larkin Hall which were not remitted to the State Treasurer as revenue, be charged to Warden Plummer.

The records examined disclose that donations totaling \$76.95 were received by Warden Plummer and comprise a portion of the total of the disbursements presented in Account III. As a cash trust account for funds used for the benefit of inmates is maintained, the donations should properly have been deposited in this account.

Statements presented with this report are as follows:

Account I—Statement of Cash Receipts and Disbursements from Use of Larkin Hall for the Period March 29, 1941, to December 8, 1943, and Accountability.

Account II—Statement of Cash Receipts and Disbursements from Use of Larkin Hall for the Period March 29, 1941, to December 6, 1943.

Account III—Statement of Disbursements from Cash Received from Use of Larkin Hall for the Period March 29, 1941, to December 6, 1943.

Respectfully submitted,

F. G. SCHOON
Accountant, Department of Finance

12/10/43

Attorney General's opinion No. 1-NS4361 relative to use of Larkin Hall attached to original report on file in office of Governor Earl Warren.

Account I

FOLSOM STATE PRISON

Statement of Cash Receipts and Disbursements From Use of Larkin Hall for the
Period March 29, 1941, to December 6, 1943, and Accountability
as of December 6, 1943

Recorded receipts per Warden's memos.....	\$3,518.05
Unrecorded receipts	
Kiwanis dinner, 8-28-43.....	300.00
Sciots dinner, 10-30-43.....	380.00
Total receipts.....	\$4,198.05
Less: Amount remitted as abatement from Sciots dinner 10-30-43, 380 dinners @ 40¢, Invoice 139, 11-2-43.....	152.00
Accountability 12-6-43, due to General Fund.....	\$4,046.05
Resources 12-6-43	

NOTE: Expenditures totaling \$1,837.36 for supplies and entertainment for shows and dinners are reflected on records in Warden's office; some of the expenditures are not supported by voucher.

Disbursements totaling \$1,894.85 for various activities and purchases are also recorded on the records, which in general, are not supported by voucher.

The above disbursements were made by or at the order of the Warden. As they were not authorized by the Bureau of Purchases, or submitted to the State Controller for audit and payment, they can not be accounted as proper disbursements or as discharge from accountability.

The Warden also received \$76.95 in donations, which properly should have been deposited in cash trust and disbursed therefrom.

FOLSOM STATE PRISON

Account II

Statement of Cash Receipts and Disbursements From Use of Larkin Hall Per Memorandum in Warden Plummer's Office

<i>Event</i>	<i>Date</i>	<i>Expenses Paid per Invoices and Memos.</i>	<i>Profit per Warden's Records</i>	<i>Total Receipts</i>
Kiwanis dinner-----	3-29-41			\$175.00
Cost of dinners, per invoices-----		\$117.04		
Entertainment of waitresses-----		14.00		
Entertainment of committee in charge		10.00	\$33.96	
Dinner—Knights of Columbus, Ladies'				
Auxiliary -----	5-19-41			91.50
Cost of dinner (invoices are incom-				
plete) -----		43.57	47.93	
Lions dinner -----	5-24-41			375.00
Cost of dinner (incomplete invoices)		92.16		
Cigarettes -----		1.31	281.53	
Sacramento Luncheon Club-----	7-15-41			112.00
Dinner costs—per invoices-----		52.05		
Expenses for paper and pens, per in-				
voice -----		307		
Cigarettes for entertainers—no in-				
voice -----		21.60		
Cash to O. C. Johnson—no invoice--		5.00		
Cigars for Lamb—no invoice-----		1.00	29.28	
Marine Corps League, dinner and dance	8-13-41			162.00
Dinner costs—per invoices-----		65.52		
Paid Johnson for Lumber—no invoice		2.00	94.48	
Peace Officers Association, Northern				
California, lunch-----	8-28-41			68.00
Cost of dinner—per invoices-----		57.56		
Cigarettes—no invoice-----		16.00	--5.56	
Marine Corps League—dance-----				25.00
No expenses-----			25.00	
Principal's Association dinner-----	10-28-41			187.00
Costs per invoices-----		81.37		
Paid for turkeys, no invoice-----		25.00		
Cigarettes -----		21.50	59.13	
Sacramento Sciots—dinner-----	10-31-41			357.00
Cigarettes—no invoice-----		34.76		
Dinner costs—per invoices-----		151.97		
Telephone and miscellaneous ex-				
pense—no invoice-----		1.65	168.62	
Sacramento 50-50 Club—dinner-----	11-11-41			180.00
Donations -----				11.52
Costs—per invoices-----		67.05		
Cigarettes -----		34.42	90.05	

FOLSOM STATE PRISON

Account II—Continued

Statement of Cash Receipts and Disbursements From Use of Larkin Hall
Per Memorandum in Warden Plummer's Office

<i>Event</i>	<i>Date</i>	<i>Expenses Paid per Invoices and Memos.</i>	<i>Profit per Warden's Records</i>	<i>Total Receipts</i>
Lions Club—dinner in general mess----	12- 6-41			\$90.00
Cost—per invoices -----		\$40.15	\$49.85	
(See notes a/c as \$60, cost \$20 net)				
Democratic luncheon (no charge) -----	1-26-42			
Donations (recorded in memo.) -----				38.10
Costs—per invoices (recorded as dis-				
bursements) -----		55.72		
Costs—no invoices (recorded as dis-				
bursements) -----		2.80	—20.42	
Kiwanis dinner -----	2-25-42			116.00
Costs per invoices -----		43.56		
Turkey—paid by SBN—no invoices.		25.75	46.69	
Horsemen's Association of Sacramento,				
dinner and dance -----	3-15-42	53.24	91.76	145.00
Costs—per invoices -----				
California Western States Life Insur-				
ance Co.—dinner and dance -----	4-17-42	73.44		290.00
Dinner cost—per invoice (incomplete)				
Entertainment expense—included in				
disbursements -----		5.51		
Glasses and crepe—included in dis-				
bursements -----		8.60	200.74	
Added expense—4-21-42—per invoice		1.71		
(Net \$216.56 in memo. book and				
—\$1.71)				
Consumer's Ice Co.—dinner and dance	4-25-42			220.00
Dinner cost—invoices incomplete---		61.75	158.25	
Scots dinner—in mess hall -----				90.00
Cost of food—invoices incomplete---		48.93		
Miscellaneous incidentals -----		3.94	37.13	
Nevada-Sierra Peace Officers—dinner				
and dance -----	5-29-42			113.93
Food costs—per invoices -----		48.44		
Miscellaneous expense—suits and				
crepe, per invoice -----		8.64	56.85	
(Net noted as \$56.75 in memo. book)				
Armenian American Citizens League—				
dinner and dance -----	6-27-42			100.00
Dinner costs—invoices incomplete---		48.97	51.03	
Marine Corps League—dinner and dance	7-25-42			100.00
Expenses -----		57.65	42.35	
Kiwanis dinner -----	9- 1-42			36.00
Cost of dinner—no env. of detl. inv.---		12.60	23.40	
Sacramento Exchange Club -----	10-17-42			116.00
Cost of food—invoices incomplete---		34.29		
Supplies—invoices incomplete -----		14.79		
Prizes—invoices incomplete -----		3.00	63.92	
Scots dinner -----	10-31-42			319.00
Costs—food -----		108.44	210.56	
Sub-total of items recorded in				
memo. book -----		\$1,681.52	\$1,836.53	\$3,518.05

FOLSOM STATE PRISON

Account II—Continued

Statement of Cash Receipts and Disbursements From Use of Larkin Hall
Per Memorandum in Warden Plummer's Office

Event	Date	Expenses	Profit per	Total
		Paid per Invoices and Memos.	Warden's Records	
Kiwanis dinner (items not in memo. book) -----				\$300.00
No data or detail in memo, book of expenses or disbursements				
Sciots dinner—approximate date-----	10-30-43			380.00
Payments F.S.P.—380 meals@ 40¢— cash state -----		\$152.00		
Paid to 22 guards for overtime—\$5 each -----		110.00		
Paid to C. H. Daseking for services (Steward) -----		20.00		
Paid to Mr. Daseking for dishes-----		20.84		
Cigars, etc.—no invoices-----		5.00		
Remainder presumably spent for food, no data in envelope				
Totals -----		\$1,989.36	*\$1,836.53	\$4,198.05
		—152.00		
		\$1,837.36		

*Incomplete

FOLSOM STATE PRISON

Account III

Page 1

Disbursements From Cash Received From Use of Larkin Hall
Data Per Memorandum Book in Warden's Office

Paid to:	Date	Amount
Folsom State Prison Revolving Fund—to reimburse for amount paid J. W. Brundage, for travel to Bakersfield re funeral of Director Spears (Note: Claim was disallowed by Controller—R.F. Ck. 7227 -----	6- 3-41	\$17.30
S. B. Nowakowski—paper for K. C. dinner-----	6- 3-41	.85
Sterling Lumber Co.—paint for swimming pool-----	6- 7-41	93.61
Golden State Soda Works—22 cases Pepsi-Cola for emanci- pation celebration. Invoices net is for 12.10 recorded as 11.00 in memo. book-----	6-14-41	12.10
Guard Barbers trip south with "Sally" (no invoice located)	6-18-41	34.00
Punch for Woman's Club—per invoice-----	6-15-41	1.50
Oranges, Lemons, etc., for July 4th—per invoice-----	7- 1-41	72.25
Best bout for day, July 4th-----	7- 5-41	10.00
Piano for Chapel-----	7-14-41	104.50
Crepe paper for hall decorations-----	7-19-41	3.05
Drinks for entertainers-----	7-23-41	2.00
Cigarettes for help, entertainers, Marine dance-----	8-15-41	16.80
Dinner and show for entertainment committee-----	8-15-41	10.50
Paint and air brush parts to Pecor-----	8-22-41	18.25

FOLSOM STATE PRISON

Account III—Continued

Page 2

Disbursements From Cash Received From Use of Larkin Hall
Data per Memorandum Book in Warden's Office

<i>Paid to:</i>	<i>Date</i>	<i>Amount</i>
Trophies and trip for Warden Johnson of Illinois.....	8-26-41	\$7.00
Cigarettes for tug of war team.....	9- 2-41	3.00
Pepsi-Cola for Mexican party.....	9-19-41	7.20
Cigarettes for cement gang, hospital walls and roof.....	9-20-41	11.50
Paint supplies for Pecor.....	9-21-41	13.08
Wood carvers	10-13-41	10.00
Artist supplies for Pecor.....	10-22-41	3.29
Cigarettes for entertainers, Marine dance.....	10-23-41	15.00
Paper for St. Dismas Catholic Club—Father O'Toole.....	11- 5-41	20.00
100 plates, cups and saucers.....	11- 7-41	25.75
To pistol club committee to assist in deficit as result of American Legion pistol and rifle shoot.....	11-17-41	100.00
Contributions toward testimonial gift for John Gee Clark.....	11-20-41	25.00
Cigarettes for inmates taking part in church banquet.....	11-27-41	19.60
Felt cloth for plaque for Judge Clark.....	11-27-41	1.24
Motion picture projection machine for education department.....	12- 1-41	75.00
Decorations for prisoners Christmas tree in dining room.....	12-17-41	10.00
Plaque for Judge John Gee Clark.....	1- 8-42	5.00
Drawing instruments for school.....	1- 8-42	3.50
Motor for laboratory class in school.....	1-20-42	4.00
*Democratic club luncheon.....	1-26-42	58.52
Cigarettes for waiters, cooks and entertainers at Democratic show	1-26-42	25.00
Trunks for dancing taps at entertainment.....	1-27-42	6.37
Cigarettes for waiters, entertainers, Kiwanis party.....	2-27-42	35.00
Expenses of N. Cook—trip to San Francisco radio broadcast 2-25-42	2-27-42	15.00
Paper plates—Democratic luncheon.....	3- 5-42	1.75
Cigarettes for waiters, etc., horsemen's show.....	3-21-42	24.86
Miscellaneous supplies—paints for education department.....	4- 3-42	4.32
O. and G. dinner for Red Cross and newspaper—Mr. Good- man	4-10-42	10.90
Cigarettes for waiters, entertainers, etc.....	4-12-42	94.91
*Grease paint, taps, etc., for entertainers.....	4-17-42	5.51
*Glasses and crepe paper for Larkin Hall.....	4-17-42	8.60
Dinner at O. and G. for Rev. Duncan singers.....	4-24-42	3.60
Bearings for Billy Burke toothpick carnival.....	4-25-42	12.98
2,000 napkins, paper.....	4-25-42	2.08
To Gomez for carvings.....	4-27-42	10.00
Repairs to accordion.....	4-27-42	12.00
Breeding Sally	4-27-42	20.00
Hat for McGraw No. 22,917, paroled.....	4-30-42	5.00
Drum heads and snare for band.....	5- 9-42	6.58
Express charges on bloodhound from New Mexico.....	5-13-42	8.05
Decorations for prison horses.....	5-23-42	2.58
Paints for swimming pool.....	5-26-42	29.07
Joe Gomez—2 small carvings.....	5-30-42	2.00
To Father O'Toole for paper for "Megaphone".....	6- 1-42	20.00
Beaverboard for decorations—Nevada Peace Officers dinner.....	6- 2-42	2.47
Miscellaneous supplies for emancipation day program.....	6- 5-42	9.84
Streamer for Folsom Pioneer day.....	6- 5-42	.62
Charges for making radio receive short wave.....	6-16-42	6.36
Cards for Sutter's Fort (Pilson).....	6-20-42	10.00

* Included in expenses for dinners on schedule of receipts and expenses for dinners, etc.

FOLSOM STATE PRISON

Account III—Continued

Page 3

Disbursements From Cash Received From Use of Larkin Hall
Data per Memorandum Book in Warden's Office

<i>Paid to:</i>	<i>Date</i>	<i>Amount</i>
Wood carving for public relations prize.....	6-20-42	\$2.50
Cigarettes for Red Cervos Party.....	6-20-42	20.00
15 cases Pepsi-Cola for emancipation day program.....	6-22-42	12.81
Repairs to bass horn.....	6-26-42	10.50
Cut for prison paper—4th of July program.....	6-26-42	4.57
Balance due on cigarettes purchased 6-20-42.....	6-29-42	27.46
Best bout of day—4th of July.....	7- 5-42	10.00
Reward for except. mer. service at O. & G. gas station to Campbell, No. 23422.....	7- 6-42	10.00
Cigarettes for waiters, entertainers, etc.....	8- 5-42	29.66
Cleaning drapes—Larkin Hall.....	8-12-42	1.50
Dyes to make flags for chapel.....	9- 1-42	2.72
Public address system for chapel.....	9- 1-42	111.69
Purchase Jo Jo strawberry roan riding horse.....	9- 4-42	125.00
Cigarettes for entertainers, waiters.....	9-21-42	53.40
Prizes to wood carvers.....	9-21-42	5.00
Pepsi-Cola for Mexicans.....	9-29-42	10.58
Hymn books for Protestant choir.....	10- 2-42	12.00
Cigarettes for waiters, etc.....	11-26-42	55.68
Books for school—Mr. Bond.....	12-14-42	20.00
Christmas decorations bought by Nowakowski.....	12-22-42	6.39
Paint for Christmas decorations.....	12-22-42	.90
Photos and records donated by inmates to U. S. O. Mather Field.....	1- 7-43	.80
Cigars for inmates.....	1-27-43	3.00
Records, U. S. O. Mather.....	2-10-43	.66
Records to Sacramento orphanage.....	2-17-43	1.04
Records to U. S. O. Mather.....	2-22-43	2.44
Medical services to No. 22422 Simmons, at Elk Grove.....	3- 2-43	2.38
Saddle expenses—Van Voorhies—Phinney Co.....	3- 2-43	10.97
Harold Chinn—repair glasses—Richard Lee.....	3- 3-43	6.18
Henry Adams for purchase one incubator (amount changed from \$40.00).....	3-17-43	15.00
Sherman Clay—bull fiddle strings.....	3-31-43	11.69
Paint and decorations for inmate decorations—Bramble.....	4- 6-43	5.52
To Mr. Bond for school motion picture repair.....	5-18-43	20.00
Moncepaton, Dyes (Sp.?).....	5-25-43	3.00
Auto expense in Los Angeles.....	5-24-43	2.00
Mr. Bond. Alcohol Anon.....	5-29-43	40.00
Cigars for inmates.....	5-29-43	5.00
Expense taking F. W. O'Neil No. 23157 to Federal Court San Francisco on a writ.....	5-31-43	8.00
Bridge tolls, San Francisco conference with J. Alco.....	6- 3-43	1.00
Bathing suit for Sherman No. 19528 who works at pool.....	6- 9-43	2.00
To Sergeant Macklin's forest crew, No. 22651, No. 22966, No. 23290, No. 24316, No. 23182, No. 23567, No. 15916, No. 22603.....	6-10-43	80.00
Swimming trunks for Neily No. 22866—works at pool.....	9- 2-43	3.23
Express on phonograph to Mather Field.....	1-27-43	1.37
		<hr/> \$1,967.48
Less: Items *		<hr/> 72.63
		<hr/> \$1,894.85

EXHIBIT "B"

Date_____

Your teams are_____

1 sack, pay by Tues., or no play

Weekly High 32 sacks

Weekly Low 16 sacks

Daily Low 2 sacks

Daily High 2 sacks

c scores in

T. F. S. S.

New York _____

St. Louis _____

Chicago _____

Philadelphia _____

Detroit _____

Washington _____

and _____

On

Brooklyn _____

10. New York _____

11. Cincinnati _____

12. Chicago _____

13. Philadelphia _____

14. Boston _____

15. St. Louis _____

16. Pittsburgh _____

Teams MUST

EXHIBIT "C"

LETTER OF TRANSMITTAL

July 1, 1943

*State Board of Prison Directors
San Quentin, California*

GENTLEMEN: Pursuant to instructions at the meeting of the Board of Prison Directors, held at Folsom Prison, on May 29, 1943, there is submitted herewith a confidential report of an investigation of Folsom Prison, together with findings, observations and recommendations. The dates of the investigation were from June 6 to June 17, 1943, inclusive, and June 24, 1943.

A supplemental report of an investigation into a series of escapes on June 20, 1943, from Folsom Prison forestry camps in Plumas National Forest is attached hereto. This investigation was made June 23, 1943.

Likewise are attached a legal opinion in connection with the report on the prison, as prepared by Seibert L. Sefton, administrative advisor to the Board of Prison Directors; copies of memoranda submitted to Warden Clyde I. Plummer of Folsom Prison during the investigation and other pertinent data.

The investigation was made with the full knowledge and approval and cooperation of Warden Plummer.

Respectfully submitted.

/S/ JULIAN H. ALCO, Member
State Board of Prison Directors

JHA:DB

INTRODUCTION

On April 27, 1943, Mr. Julian H. Alco was appointed by Governor Earl Warren as a member of the State Board of Prison Directors and his appointment was confirmed by the State Senate on May 8, 1943. Subsequently, Mr. Alco made a brief inspection of the California State Prison at Folsom from May 16 to 21, 1943, during which period he stayed at the prison.

At an executive meeting of the State Board of Prison Directors at Folsom Prison on May 29, 1943, Mr. Alco presented a preliminary written report to Judge Isaac Pacht, President of the Prison Board, on his observations at the institution. As a result of this report, the board felt justified in asking that a detailed investigation of the prison be made and requested Mr. Alco to carry it out.

Because of events that unfolded during the preliminary inquiry, Mr. Alco requested that Mr. James Adam, administrative advisor, be assigned to assist him and this was approved by Judge Pacht. The board at its meeting on May 29, had recommended to Warden Clyde I. Plummer that he consider Mr. Adam for appointment as his secretary and deputy warden.

Before undertaking the investigation, Mr. Alco invited Warden Plummer to come to San Francisco to attend a conference at his office with Mr. Adam and himself. The conference was held on June 3, 1943. Warden Plummer expressed his willingness to cooperate in every way in the investigation, which he felt would be very beneficial to his administration. He graciously placed his office and all facilities at the disposal of Mr. Alco and Mr. Adam, and offered to provide accommodations for lodgings and meals at his residence.

It was agreed at this conference that the warden would be kept apprised of any developments during the investigation, and that the purposes of the inquiry were to help him in the solution of any institutional problems and to be constructive throughout. The arrangements with Warden Plummer were confirmed in telephonic communication between Mr. Alco and Judge Pacht, and the inquiry then proceeded. Mr. Alco and Mr. Adam were at Folsom from Sunday, June 6, to Thursday, June 17, inclusive. They returned on Thursday, June 24, accompanied by Mr. John F. Hassler, State Director of Finance, and Mr. Fred Links, Chief of the State Division of Budgets and Accounts, who made an inspection of the prison at their own request.

INVESTIGATION OF FOLSOM PRISON

SUBMITTED BY—JULIAN H. ALCO, Member, State Board of Prison Directors
and JAMES ADAM, Administrative Advisor for the Board

We, (Mr. Alco and Mr. Adam) arrived at Folsom Prison Sunday, June 6, 1943, at 7 p.m. and immediately made arrangements to interview several inmates, who had written letters to Mr. Alco as the result of his previous visit, requesting such interviews.

Comments on these and subsequent interviews are noted on a printed "Interview Sheet," which was prepared for the convenience and information of the Board of Prison Directors. These interview sheets are on file with Mr. Lyle Egan, clerk of the board at Folsom.

In order not to interfere with the warden's duties and disrupt his office routine, arrangements were made for us to use the private office of Mr. Egan for interviews and other work, inasmuch as the board room was occupied by auditors of the State Department of Finance, making their annual audit of the institution's records and accounts.

During the period covered by our investigation, we personally visited every department of the institution and talked to department heads; interviewed approximately 250 inmates, representing more than 15 per cent of the inmate population; and inspected cell blocks, the solitary confinement cells in the "Back Alley" of the old cell block; Lower Yard, Upper Yard, Hospital, Cannery, Prison Ranch, Armory, Administration Building, Laundry, Tailor and Shoe Shop; Commissary, Officer and Guards' Mess, General Mess and Kitchen; Chapel, Trades Building, Power Plant, Print Shop, Dental Laboratory and Office; Identification and Record Bureau, Accounting Office, Clerk's Office, Warden's Office, Captain's Office, Sewerage Disposal Plant, etc., and worked from 8 a.m. to 11 p.m. daily.

The inmates interviewed discussed many problems of direct concern to safe and sound prison management, and their suggestions and remarks were very helpful. Likewise, the warden, captain and prison personnel cooperated in many ways.

BROADCASTS TO INMATES

Beginning Monday evening, June 7, 1943, nightly broadcasts over the institution radio were carried on to the inmates, listening with head-sets in their cells, to acquaint them with the purposes of our visit and to solicit their assistance.

In our initial broadcast, we asked the inmates to write and tell us what they really thought of Folsom; what their complaints were, and what suggestions they had for improvements. We asked them to write us letters and repeated this request nightly for the first few broadcasts.

The result was a flood of letters, requesting interviews and many contained splendid ideas and helpful suggestions, as well as complaints, some of which were found upon investigation to be justified and requiring immediate attention for correction. Every inmate, who requested an interview, was granted one.

The approach to the investigation was along orderly, constructive and well conceived lines. As the inquiry developed, a series of 40 memoranda, covering departments and situations and with definite suggestions and recommendations, were submitted to the warden for his information and consideration.

Our endeavor was to provide an honest and unbiased appraisal of the institution and to make helpful suggestions for improvement. This report contains factual data, based not on hearsay testimony or rumor, but upon actual personal investigation.

The investigation was conducted jointly; nothing was done by Mr. Alco without Mr. Adam being present or without his knowledge or vice versa. Interviews of prisoners for the most part and with department heads were held with both present; inspections of departments, buildings and other facilities were made together; all memoranda and contact with the warden and all radio broadcasts to prisoners in their cells were made with each other's knowledge and approval.

In this manner, Mr. Alco and Mr. Adam maintained the closest relationship with each other during the course of the investigation.

ADDITIONAL GUARDS NEEDED

One of the immediate needs of the prison was disclosed to be strengthening of the guard line to furnish adequate protection to this maximum security institution. The guard line had been weakened by transfer of guards to new prison projects and vacancies with the result that a shortage of policing protection was acute in various parts of the institution.

Additional guards were found to be necessary not only (1) for the public safety to prevent escapes but (2) for the protection of prisoners and officers from assaultive inmates; (3) to prevent what is apparently wide-spread sex perversion; (4) to stop food waste and theft of meat, coffee, sugar and other commodities from the general mess and commissary, and of clothing, shoes and other articles within the institution; (5) to "shake down" cells for contraband regularly; (6) to supervise cleaning up of cells; (7) to stop gambling and trafficking in various supplies and commissaries; (8)

to provide adequate and better policing of the entire prison, and (9) for vacation and relief duty.

So serious was the guard-line need that it was deemed expedient to contact the State Department of Finance and pave the way for the approval of additional positions and necessary appropriations to supplement the new budget.

A conference was held with State Director of Finance John F. Hassler and the Chief of the Division of Budgets and Accounts, Fred Links, at the Department of Finance office in Sacramento, on Tuesday, June 15th. They requested to know why the request for the additional guards was not made when the new budget was presented last winter and before the Legislature, and why, if they were so urgently needed, that proper presentation had not been made previously. They were told that the Board of Prison Directors was not aware of the conditions existing.

Mr. Hassler declared that he would like to make a personal inspection of the institution with Mr. Links to view the situation for himself so as to be prepared better to pass upon any request for financial assistance, which might be formally made by the Prison Board.

Accordingly, an appointment was made for such a visit on Thursday, June 24th. We set that day in Sacramento, and brought them to the prison, in company with Mr. E. Frank of the State Division of Audits. We toured the prison with them, pointing out conditions that existed at the prison ranch, commissary, general mess, laundry, tailor and shoe shops, upper yard, lower yard, mess quarters, back alley in old cell block, trades building, etc. Mr. Hassler's remarks were far from complimentary.

Our investigation has convinced us that immediate corrective steps are necessary at Folsom Prison for public safety and to maintain this institution in keeping with a progressive penology program, such as inaugurated by the Board of Prison Directors.

OBSERVATIONS

(1) *Folsom today is a costly idle institution where a great many of the inmates have no work to do whatsoever.*

It is plainly evident that a large percentage of the inmates are undergoing a process of mental, spiritual and physical disintegration, with no constructive thought being given to their rehabilitation. Morale is understandably at a low ebb.

(2) *Immediate strengthening of the guard-line is necessary for reasons given above.* At least 15 more guards are needed within the institution to meet requirements.

(3) *The institution needs a general overhauling.* Cleanliness is not maintained in shops, buildings, cell blocks, upper or lower yards or general mess and there is a need of cleaning up junk and debris everywhere.

(4) *A comprehensive survey of the hospital disclosed conditions that require immediate corrective treatment.* The present resident physician spends only four or five hours a day at the hospital, resides at Roseville, 15 miles away where he has an extensive private practice, and no doctor is available at the prison in the evening or all day Sunday. Head inmate nurse, who has key to drug dispensary, is a sixth-termer with a record of three narcotic convictions. Five of the 25 inmates assigned to work in hospital have narcotic convictions against them. Narcotics are possessed and administered to patients by inmates by hypodermic injection in absence of doctor, which is illegal. Arrangements should be made for 24-hour medical service at the hospital under competent physicians.

(5) *Sex perversion is practiced in many parts of the institution.* Known degenerates are allowed by guards to associate openly in the upper yard and elsewhere. We were supplied with a list of places where these sex perverts gathered to carry on their homosexual activities. All shacks made from scrap materials, in the lower yard as well as elsewhere on the prison reservation should be torn down without delay as they are breeding places of vice. Homosexuals should be segregated as a practical remedy for the situation.

(6) *The commissary as conducted, leads to thefts of supplies, and causes huge loss to State.* A trained merchandising manager for this important department should be appointed immediately. The commissary is habited by rats and mice and is dirty and not maintained in order. More space is needed but present quarters should be altered and cleaned up.

(7) *Conditions in the laundry and clothing distributing office, located in the same building, are not conducive to efficiency, good morale or discipline.* The building, in its present shape, is a fire hazard, and, while some alterations were suggested during our investigation, they will not solve the problem. The laundry and clothing distributing office should be separated.

HOSPITAL DEPARTMENT

A comprehensive survey of the prison hospital was made on Sunday, June 13th, and Monday, June 14th. The following conditions were disclosed:

(1) *There is no resident physician living on the prison reservation.* The so-called "resident physician" resides 15 miles away, and has an extensive private practice.

(2) *There is no doctor available at the prison except between the hours of 8.30 a.m. and 3 p.m. daily, and none whatsoever on Sundays, except in an emergency.*

(3) *Inmates have full charge of the hospital while the doctors are absent.* If a prisoner becomes ill at night or while no doctor is on the reservation, an inmate nurse "diagnoses" the trouble and prescribes the treatment.

(4) *Only the "resident" physician, and not the assistant physician, takes care of patients in the hospital wards.* When he is away, the patients, including the serious surgical cases, are left in the hands of inmate "nurses," many of whom have no training for this work.

(5) *The head inmate nurse (Baker No. 23323) in charge of the hospital during the absence of the doctor is a sixth-termer with a record of three prior narcotic convictions.* He has a key to the dispensary where drugs are dispensed although he denied it, but the resident physician confirmed the fact. He is also allowed by the doctor, to possess narcotics for administering to patients "in an emergency," as well as other medicine and drugs.

(6) *Inmates are permitted to administer narcotics by hypodermic injection to patients in surgical ward for whom narcotics are prescribed beforehand by physician.* The inmate nurse (McGowan No. 23566) in charge of the surgery ward and who states he administers the narcotic treatment, is a three-termer with a Federal record of violating the Harrison Narcotic Act.

(7) *Patients claim medical treatment has been neglected, and they have not been able to receive proper attention in hospital, even for relief of pain.* (Some of the complaints might be discounted but because of other existing conditions in hospital serious consideration must be given to their accuracy.)

(8) *Tubercular patients are allowed to wander about hospital corridors and wards, outside tubercular ward.*

(9) *Inmates prepare the hospital menus.*

(10) *A Negro prisoner (Willhaight No. 23340) victim of a knifing at the institution, and a patient in the surgical ward on the first day of our inspection, later died.* Other patients in the ward reported that resident physician had been negligent in rendering proper medical service. Physician denied any such neglect. Patient, under circumstances, should have been under constant observation.

(11) *There is no free man as nurse in hospital.*

The hospital, a three-story building, adjoins the administration building, the second and third floors of which are used also in connection with it.

At the time of our visit, there were 108 patients in the hospital whereas its normal bed capacity is 75 to 90 but it did not appear overcrowded.

The "resident" physician is Dr. James F. McNally, who was an assistant physician at Folsom from July 1, 1930, to June 1, 1942, when he replaced Dr. P. W. Day, who was commissioned on active duty in the U. S. Navy. Dr. J. C. Barnes of Loomis, a town of 600, and which is 20 miles distant from the prison, is assistant physician; and Dr. Ray Simons of Sacramento, 25 miles away, also holds the title of assistant physician but performs only psychiatric work one afternoon a week.

Dr. McNally resides in Roseville, an important railroad division point, 15 miles from the prison, where we learned he has an extensive private practice; is connected with a private emergency hospital there; is one of four physicians for the Southern Pacific Company; and does surgery work at the Sutter Hospital in Sacramento when necessary in connection with his private patients.

Dr. McNally's customary routine at the prison, by his own statement, is to arrive daily between 10.30 and 11 a.m., sees patients and does prison routine medical work until afternoon when he performs any necessary surgery, and leaves the reservation around 3 o'clock in the afternoon. He does not visit the prison on Sunday, except when an emergency arises. His State compensation at present is \$365 a month, including \$20 wartime emergency increase. The basic salary range for the position is \$325 to \$405 with a \$20 annual increase.

Dr. Barnes, who has his own private practice at Loomis, is 58 years of age and a retired Army doctor. He arrives at the prison daily except Sundays at 8.30 a.m.,

handles the pill line and clinic for routine health examinations, until 10.30 a.m., when his services are completed for the day and departs from the reservation. He does not take care of hospital patients, except as he stated, "in an emergency." Dr. Barnes was appointed assistant physician March 27, 1943. The basic salary range for the position is: A guard's pay — \$140 to \$180 with a \$10 annual increase. He is receiving the minimum of \$140 plus a \$25 wartime emergency increase, making a total of \$165.

Dr. Simons, who has an office and private practice in Sacramento, although employed as an assistant physician, performs no duties as such. He visits the institution only one afternoon a week for psychiatric work but is not called for any regular duty in the hospital, or for other medical assignment. He was appointed November 1, 1941, and receives at present \$150 per month plus a \$25 wartime emergency increase, making a total of \$175.

On Sunday, June 13th, when we first inspected the hospital there was not a single free man in evidence. No doctor was on the prison reservation and the inmates had complete charge of the hospital. Certain inmates had keys to various rooms and detention cells but these prisoners were not available upon arrival and had to be located by others.

All prisoners confined to detention cells were interviewed and some were plainly in need of medical examination and attention. Complaints were made that requests for interviews to warden and for treatment by doctor were ignored.

Five of 25 inmates assigned to work in hospital, outside of hospital kitchen, were found to have prior records of narcotic convictions. They were: Buker 23323, head inmate nurse; McGowan 23566, nurse-in-charge of surgery ward; McVickers 21559; Carter 22718, and Huston 23851.

We visited all wards and talked to patients, received many complaints and suggestions for improvement.

Dr. McAnally, when interviewed about conditions in the hospital, and his management of it, said he was not satisfied with the present set-up, and admitted that he was not able to give the medical attention to the institution that was necessary. He said that a competent resident physician should receive compensation of at least \$6,000 a year.

He also said that he felt the following help was necessary to assist in proper management of the prison hospital:

Convict surgical nurse.

Clerk for hospital with dependable record to do shorthand and typing.

Laboratory supervisor, who should be a free man.

A doctor, who was an eye specialist, to handle eye treatments. (Dr. McAnally stating that he did not feel that he should handle such cases.)

We suggested that Dr. McAnally submit a written report on the hospital, its routine, his recommendations for improvements, etc.

The warden was advised of our inspection and observations, and for further details see memoranda No. 24 and 35, to him.

COMMISSARY

The commissary, which is located on the first floor of the officers' and guards' quarters, was improvised from the old dungeon of the prison. It is inadequate in size, and while difficult to keep clean and sanitary, it could be maintained in much better order and condition.

Waste and theft are inevitable under the manner in which the commissary is operated, and the head of the commissary, Mr. L. W. Krueger, is handicapped in many ways, and not only by lack of proper physical facilities but by lack of trained help and insufficient policing.

There has been complaints previously made by Department of Finance auditors about the way in which stores are received and issued, but Mr. Krueger states that he has not the proper help to correct the situation. Orders are taken over the telephone and deliveries made without proper written requisition. No attempt is made to verify the need of, or verify the actual delivery of, merchandise.

The food rationing program for civilians, likewise affects the wards in State institutions, and this is an added reason why meats, foodstuffs and other supplies received and delivered by the commissary should be carefully safeguarded.

Mr. Krueger, at our request, submitted a written report of commissary needs and suggestions to improve conditions. He asked appointment of an assistant commissary

manager, who should be a trained merchandising expert, and also a full-time guard, neither of which he has at the present time. He also requested additional storage space, pointing out that at present entire quarterly requirements are delivered to various departments because there is insufficient warehouse space. Cold storage space is likewise inadequate.

The establishment of forestry camps has placed an added burden on the commissary, which supplies food and other articles to the camps. The situation is beyond the ability of even the most capable commissary man to handle satisfactory, and additional help should be provided promptly.

The State Department of Finance should be requested to make a survey of the commissary along with the division of architecture and recommendations made for improvement.

Meanwhile, the place should be cleaned up, painted and broken plaster in ceiling repaired. Rat and mice refuse was apparent in many places during our visit. Mouse-trap was lying on flour sack. Krueger said that rat poison was used to control the rats and rodents but evidently it was ineffective.

Reports by Krueger are attached.

GENERAL MESS

The general mess is under the supervision of Charles H. Daseking, chief steward, who has been in the prison service 19 years.

Theft and waste of food are admitted by the steward who claims that it is impossible to avoid without proper policing and additional guards, which he said he had requested.

Approximately 800 pounds of food waste a day were reported taken from the mess hall. This waste was much higher before food control was adopted.

Inmates interviewed complained of manner in which food was prepared and served although it was agreed that it was much better now than in the past.

Harvest and prison ranch hands drift in at scattered hours during the evening and it is not always possible, the steward said, to keep food warm. He asked assignment of guard for first watch (4.00 p.m.-12.00 midnight) to maintain discipline over these men.

Schedule of free men in general mess follows:

Daseking, chief steward-----	6.45 a.m. to 6.00 p.m.
Thiese, assistant steward-----	7.00 a.m. to 4.30 p.m.
La Hane, guard-----	7.00 a.m. to 4.30 p.m.
Smith, guard -----	11.00 a.m. to 8.00 p.m.

A total of 201 prisoners out of an inmate population of approximately 1,600 is assigned to the general mess and steward's department. This is far more than is absolutely necessary or desirable, and creates problems of crowdedness and sanitation, and encourages loafing, thefts and conniving.

There are two mess halls, one on the north side of the central kitchen, and the other on the south side. The former opens into No. 1 cell block and is the main dining room, accommodating about 1,000 men at a sitting. Negro and Mexican inmates eat in the south side dining room with a capacity of 1,200, thus maintaining segregation.

The south side mess hall is also used for entertainments, orchestra rehearsals, etc., and because of the physical lay-out inmates connected with these activities are constantly passing through the kitchen and north side mess hall, interfering with efficient operation of the general mess. Scavengers also use the kitchen as a passage way.

One solution suggested is to cut a door in the south side mess and make minor alterations to the entrance to the kitchen, hall, thus permitting this mess hall to be isolated except when its use for meals is required.

We are advised that there are now 30 cooks assigned to the general mess, and that 3,000 T-bone and New York cut steaks per month go to these cooks. In days of rationing, such a situation demands immediate correction.

The number of extra meals served in the general mess after lock-up to harvesty crews, and inmates supposedly doing special work has shown a steady increase and is fast becoming a rationing and economical problem according to the steward. It is suggested that an accounting be made of these extra meals with a view of curtailing them drastically.

Because of the theft, food and meats for the general mess, standard and nourishing rations are not maintained for the "main line" inmates. Often when "jute balls" or meat balls are served the main line, complaint was made that there is more bread than meat in the mixture.

Much of the meat, which should be in the "jute balls," is diverted into some form of a "black market" among the employees of the general mess. The proof of this is that hamburger can be bought for a price in the upper and lower yards.

It was agreed by the chief steward that the only way to stop the enormous daily waste of food in the general mess is to inaugurate the cafeteria system. Such a system, while not yet perfected, has been recently started for feeding the "main line" at San Quentin and should be studied for adoption at Folsom.

A suggestion by an inmate, writing to Mr. Alco, resulted in arrangements being made to seat eight men at each table in the mess halls instead of nine men, thus giving more elbow space in which to eat in comfort. The change was favorably received.

A suggestion that similar seating arrangements be provided during motion picture shows in the south side mess hall was also adopted with the cooperation of the prison officials.

It was observed that the prisoners receive two meals on Sunday at 7.15 a.m. and at 2.00 p.m. They are locked in their cells at 3.00 p.m. on Sunday and receive no meal again until breakfast on Monday.

Because of the climate at Folsom when unusually high temperatures are recorded in the summer months and particularly during the present daylight savings schedule it is recommended that a later meal time and later lock-up time be put into effect on Sundays.

On the afternoon of June 10, 1943, during the time we were at the prison, a stabbing occurred in the general mess when Willheight No. 23340 was knifed by Denton No. 21382. Both inmates, colored, were assigned to the general mess.

We made a brief investigation into the stabbing and found that it undoubtedly could have been averted had there been sufficient policing of kitchen. At time stabbing occurred, chief steward was absent; assistant steward was on sick leave; and Guard Le Hane, on duty in general mess, was answering telephone, checking receipt of supplies.

Chief steward agreed that the assault and quarrel, which preceded it, could have been prevented had guard been present. Evidence indicated that Denton did not carry knife on his person but grabbed it from table and acted in self-defense after Will Height had sought to attack him with iron hook, which he had also picked up in kitchen.

We interviewed Denton in solitary confinement cell on evening of attack. He declared he had only acted in self-defense and that victim was a younger, more powerful man, who had attacked him. Will Height, the victim, later died and the Sacramento County grand jury indicted Denton on a charge of murder.

For additional details on general mess see memos, 8 and 26 and 28 to warden, and letter of Chief Steward Daseking to Mr. Alco.

PRISON RANCH

On Thursday, June 10, 1943, we investigated several complaints from inmates, relative to conditions at "mess shack" at prison ranch. Inspection was made between 11.30 a.m. and 12.30 p.m. (Noon feeding hour.)

"Mess shack" was formerly used to shelter calves, and is now used as combination dining room, and shower and locker room for more than 100 men. It is located near stable and is infested with flies. Soiled clothing of prisoners is kept in lockers and creates odor in warm weather. One cold water shower was available in the shack for men to use.

Stove to heat food was in one corner of shack. Inmates must hustle wood daily for stove as no supply is kept on hand.

At time of visit, food from general mess was received at ranch ten minutes before serving, which we were informed was customary procedure, and no time for heating. All food is served on one plate. Noon meal on day in question consisted of frankfurters, sauerkraut, boiled potatoes, beans, bread, milk and orange. Frankfurters were ice cold and had not been cooked. There were insufficient beans and milk to go the rounds. Many men complained of hunger.

Inmates said that they arise at 5.00 a.m., eat meal of only mush, milk and toast and then hike two miles to ranch, work till noon meal and then to supper served in prison. They said they were unable to obtain showers at institution when through work as bathhouse was closed.

Prisoners also complained of lack of barber for shaving, and that they were denied proper medical and dental attention.

Letter sent to warden re conditions and recommendation made that prisoners assigned to prison ranch get same breakfast as harvestry men on leaving institution for daily harvestry camps, such as eggs, etc. Warden made these arrangements with chief steward following day, and also instructed bathhouse to accommodate ranch hands at night.

For further details see Memo. No. 3 to warden and his reply thereto.

INMATE ADVISORY COUNCIL

With the cooperation of the warden, arrangements were made during our visit for the formation of an inmate advisory council to aid the general welfare of the inmate population. Such an idea has been successfully carried out at San Quentin and other penal institutions in the country.

Frank A. Guernsey, record clerk, and a free man, who has the confidence of most of the inmates, was chosen to represent the administration. We addressed a preliminary meeting of an organization committee of inmates at which Mr. Guernsey presided, and the inmate body of the prison was acquainted with the plans and purposes of the council in radio broadcasts to their cells in which inmate representatives participated.

The council, if properly handled, gives promise of being an effective aid to the administration at Folsom.

For further details see Memo. No. 4 to warden, and preliminary report of Mr. Guernsey, broadcast to inmate body, and attached.

STRIPE ON PRISONERS

During our investigation, it came to our attention that seven prisoners in the Lower Yard had been placed in striped clothing without being advised as to the reason. We were told that they were suspected of being involved in a plot to escape and that the "stripes" were to make them easily identifiable in the Lower Yard. The seven men were: Borton 22871; Mead 23603; Ward 24291; Shaffer 22991; Gay 23343; Gardiner 23907, and Cannon 24368.

We talked to the men in question and then addressed a memo. to the warden (Memo. No. 2) calling his attention to a resolution adopted by the Board of Prison Directors February 7, 1941, recommending the abolition of the use of striped clothing on prisoners. The warden, upon receipt of this memorandum, immediately ordered the "stripes" removed from the seven men.

SOLITARY CONFINEMENT CELLS—"BACK ALLEY"

Solitary confinement cells in Folsom Prison for serious offenders against prison authority are located in a section of the old cell block in what is known as the "back alley" or "hole" or "behind the screen." (There is a fine mesh screen door in front of each cell to prevent contraband being passed through by any person.)

At the time of our investigation of the "back alley" there were a total of 24 prisoners in solitary confinement.

One of them, Coleman 20426, had been in solitary confinement since May 12, 1942—a period of 13 months—for threatening another convict Morcumb 22110 with a knife and grabbing the cell keys from him.

Others then locked up in solitary have been in the cells for periods of from a day to 60 days.

We had Coleman brought to the clerk's office for an interview. The man's physical condition appeared good, despite the long confinement, but he found difficulty in speaking and collecting his thoughts. He was visibly suspicious of our intentions. However, we counselled with him, interviewed him a second time in the clerk's office and found him more at ease. He was interviewed a third time in the "back alley," and was released from solitary on June 16, 1943, by the warden on his own initiative. After Coleman's release, we interviewed him again and he appeared to have taken a new lease on life.

We interviewed every man in the "back alley." They were confined for a variety of reasons, including fighting in the prison; escaping from the prison grounds; escaping from forestry camps; insolence and refusing to work; intoxication caused by taking barbitol pills; "observation," and "investigation."

Four prisoners had been held since April 22, 1943, for "investigation" without any charges being placed against them, or advising them why they were thus held. We

learned that they had been suspected of plotting an escape. It was suggested in a memo to the warden (Memo No. 10) that he either prefer charges or release the men. They were then released from solitary.

Practically all the prisoners interviewed in solitary complained that letters to the warden were ignored; that they had received little or no exercise or fresh air.

It is our firm conviction that the "back alley" cells are antiquated and should be abandoned. A new section of the prison should be chosen for solitary confinement cells, and a policy of regular medical examinations of offenders, thus punished, be adopted. Also that arrangements should be made for regular periods for exercise.

ARMORY

The arsenal of Folsom Prison is located in a cupola granite tower which is part of the inner wall overlooking a double gate trap at the entrance to the institution. Equipment consists of machine guns, shotguns, rifles, revolvers, tear gas, gas guns, etc.

We found that the armory was poorly fortified and protected, and much of the equipment and ammunition obsolete. Tear gas shells on hand carried the manufacturer's utility instructions "Use Before 1940." Hand grenades were of an obsolete type. Flares had not been tested.

Guards in the tower were not familiar with the use of all weapons. They did not understand the proper use of gas masks, and the effectiveness of the gas masks had not been tested under actual gas conditions. Only three gas masks were available in the armory tower.

An old-fashioned pulley arrangement allows one rifle to be lowered at a time from the top of the tower where guards are stationed.

There is no first aid equipment, fire extinguishers or water available in event of an emergency. Doors leading to wall post, and to wall over main gate and inside entrance of armory are made of wood and could easily be broken down.

The windows of the tower are made of ordinary window pane glass and offer no protection from bullets, hand grenades, rocks, etc.

Details of conditions and recommendations were outlined in Memo No. 21 to the warden on June 14, 1943.

On the event of June 16, 1943, the warden, accompanied by the captain of the yard, Armorer Gillespie, and ourselves went to the ranch reservoir where the warden personally tested a flare and tear gas shell. Both proved to be in working condition and very effective.

GAMBLING—POOL SHEETS

As part of the gambling, which we found going on in the prison, it was discovered that printed and mimeographed baseball pool sheets and horse race form sheets were being used. Samples of the baseball pool sheets were obtained and, through the officials, an improvised miniature proof press, together with type, ink pad, roller, etc., was located in the bakery and seized. We were also advised that similar pool sheets are printed daily in the print shop and elsewhere about the prison and that the prisoners gamble tobacco, etc., on the results.

MISCELLANEOUS

Many other matters came to our attention during the investigation, and they are specifically mentioned in memoranda to the warden or in the "Recommendations for Folsom Prison," made part of this report.

Also included in this report is a mimeographed list, prepared by the clerk of the board, Mr. Lyle Egan, at our request prior to the investigation, setting forth the various departments of Folsom Prison, the names of the department head and convict boss and prisoners employed therein; the functions of each department and the names of all personnel as of June 4, 1943.

RECOMMENDATIONS FOR FOLSOM PRISON

(1) *There should be an immediate cleaning-up of grounds and buildings on reservation. Junk and debris should be carted away; interiors of buildings should be painted and maintained neat and clean at all times.*

(2) *Fifteen additional guards should be appointed to furnish proper maintenance and supervision of the prison. These guards are needed (a) for the public safety*

to prevent escapes; (b) for the protection of prisoners and officers from assaultive inmates; (c) to prevent existing wide-spread sex perversion; (d) to stop food waste and theft of meat, coffee, sugar and other commodities from the general mess and commissary, as well as the theft of clothing, shoes and other articles within the institution; (e) to check trafficking in various supplies and gambling; (f) to "shake-down" cells for contraband regularly; (g) to supervise cleaning up of cells; (h) to provide adequate and better policing of the entire prison and (i) for vacation and relief duty. (See Memo No. 6 to warden.)

(3) *Hospital department should be immediately reorganized.* Present "resident" physician, who lives 15 miles distant from prison and is on only part-time duty, should be replaced by doctor living on reservation. Duties of assistant physicians should be revised so as to provide presence of doctor in hospital at all times. Closer supervision of hospital must be maintained. Narcotics or sedatives can not legally be administered by inmates, as is done at present. No narcotic addicts or inmates convicted of narcotic or sex perversion crimes should be allowed to work in the hospital. Hospital menus and hospital kitchen should be supervised by chief steward. (See Memos No. 24 and 35 to warden.)

(4) *Full-time psychiatrist should be appointed.* Present part-time psychiatrist spends only one afternoon a week at hospital.

(5) *Warden and captain of yard should be instructed by Board of Prison Directors to stop gambling, pay-off system and trafficking in food, clothing, shoes, commissaries, etc.* Offenders should be punished by loss of credits and privileges, and all money and other contraband confiscated. (See Memos No. 25 and 39 to warden.)

(6) *Action should be pressed to obtain war or defense contracts* to alleviate idleness, and put present blacksmith shop, machine shop and other facilities in operation. (See Memo No. 5 to warden.)

(7) *Education department should be surveyed by State Department of Education* and report with recommendations made. Vocational training should be organized with cooperation of State and Federal educational authorities as at San Quentin and Chino. Trained educational director should be appointed.

(8) *Library should be overhauled* and circulation system to cells be revised. Appropriation should be made for purchase of new books. State Librarian should be asked to make survey of needs and make recommendations.

(9) *Organized program of recreation should be instituted.*

(10) *Electric "eye" metal detectors should be installed* at main gate, count gate and at doors leading to general mess.

(11) *"Shake-down" of harvestry crews and forestry camp men* leaving prison and coming back into the prison from outside should be more thorough to prevent smuggling of contraband. (See Memo No. 13 to warden.)

(12) *Inmate advisory council, now in process of organization, should be closely supervised* and developed along constructive lines. (See Memo No. 4 to warden.)

(13) *Laundry building should be overhauled* and cleanliness stressed. Laundry yard should be kept neat and tidy and inmates prevented from loitering there. (See Memo No. 2 to warden.)

(14) *Clothing distribution office, now located in one end of laundry building, should be combined* with tailor and shoe shops in new enlarged location. This will give laundry more space.

(15) *Fire inspection* should be annually made by State Fire Marshal. (See Memo No. 37 to warden.)

(16) *Inspection of safety appliances* and needs should be made regularly by State Department of Industrial Relations. (See Memo No. 36 to warden.)

(17) *Health and sanitary conditions* should be inspected periodically by State Department of Public Health. (See Memo No. 12 to warden.)

(18) *Civilian defense rehearsals* should be held under emergency "blackout" plans.

(19) *Armory should be strengthened* and better fortified; obsolete firearms, tear gas and hand grenades and ammunition should be immediately replaced; first aid kit, fire extinguishers; water and sand, revolving searchlight, bullet-proof windows, doors, etc., are needed. (See Memo No. 21 to warden.)

(20) *Regular target practice* should be undertaken by guards and competition arranged to stimulate interest. (See Memo No. 22 to warden.)

(21) *Tailor and shoe shops should be better supervised* to prevent thefts of shoes and clothing. Machinery is antiquated, and efforts should be made to obtain more modern machinery from other State agencies through State Department of Finance.

(22) *Later lock-up time* daily and Sunday, particularly in summer, should be considered for better morale.

(23) *Warden should make weekly radio broadcast to inmates*, answering any questions that might be submitted. Radio microphone connected with institution radio, should also be installed in his residence for any emergency use.

(24) *Institution radio broadcast should be carefully supervised* at all times. No material should be broadcast by officers or inmates without approval of warden or his representative. If inmate broadcasts, officers should be present and supplied with script to see that it is followed. Present all-day broadcasts through cell ear-phones from central control should be discontinued and programs, recommended by inmate advisory council and approved by warden or his representative, broadcast from 5.00 p.m. to 10.00 p.m. nightly. Present programs broadcast to inmates are selected by an inmate. Radio control room should be moved to new location, preferably outside gate. In its present location in administration building it might be seized by inmates at any time. (See memo No. 1 to Warden)

(25) *Close censorship* should be maintained at all times by warden or his representative over material appearing in Folsom Observer (Pink Sheet) ; Catholic Megaphone and any other prison publication. (See memo No. 34 to Warden)

(26) *All crime and detective magazines and sex magazines* should be banned from prison circulation. List of magazines receivable by inmates should be revised.

(27) *Print shop* should be watched more closely to prevent printing of betting forms, horse race pool forms, etc. (See memo No. 39 to Warden)

(28) *Special crew of guards should "shake-down"* cells for contraband regularly. At present cells are only "shaken-down" once every two or three months, which is not sufficient in maximum security prison.

(29) *Solitary confinement cells* in back alley should be abandoned, and new location selected. Inmates, subject to such punishment should be given regular exercise, interviewed by warden while in solitary, and visited twice a week by doctor. Any inmate thus confined should have formal charges placed against him, and not held indefinitely "for investigation" or "observation." (See memo No. 10 to Warden)

(30) *Yeast in kitchen* should be locked up to prevent its use in making liquor.

(31) *Prison board should reiterate its opposition to stripes* on inmates for any reason whatsoever. (See memo No. 2 to Warden)

(32) *Classification committee should be revised* to include doctor and chaplain. Each inmate should appear in person for classification or reclassification. Warden should sit in on classification committee meetings whenever possible.

(33) *Meeting of warden and department heads* should be held regularly to discuss problems of mutual concern.

(34) *New reception room* for visitors should be found. Present reception room with heavy double wire screen is relic of the past.

(35) *Iron door in phone booth should be closed at all times*, except when telephone operator is opening door to cell block. Inmates should not loiter at or near telephone booth at any time. Consideration should be given to removal of telephone booth to place outside of gates. (See memo No. 16 to Warden)

(36) *Inmates should not be allowed to answer telephones* in office unless call is made by prison official or guard from within the prison and his voice is known to telephone operator.

(37) *New rules and regulations* should be drafted for warden for guards and other employees and for inmates. Rules for inmates should be posted in cells. Warden should be required to inspect all prison departments in person at least once a month, and report to board. He should also be required to visit camps at least once every three or four months. (See memo No. 27 to Warden)

(38) *Officers and guards of Folsom* should arrange to pay exchange visits to San Quentin and Chino and this should be done in cooperation with warden and in connection with official business so employees would not have to make visit on day off.

(39) *Prison Ranch* should be surveyed by State Department of Agriculture for recommendations, and also buildings and grounds cleaned up. Feeding should be

watched. Accounting office should carefully check production costs and any live-stock, poultry or crops being produced at loss should be abandoned. (See memo No. 3 to Warden)

(40) *Cannery* should be painted before operations begin, and leak repaired. (See memo No. 2 to Warden)

(41) *Steam line* should be installed in new cell block for spraying beds to exterminate insects.

(42) *General mess* should be cleaned up, "tightened up" to prevent waste and thefts, and better policed all-around. Surplus help should be eliminated. There should be no loafing or smoking in kitchen. New kitchen utensils should be sought from other state agencies through Department of Finance. Mess halls and mess tables should be painted. Cafeteria system of serving should be inaugurated as soon as possible. (See memos. Nos. 8, 12 and 26 to Warden)

(43) *Commissary* should be cleaned up and painted. Procedure of ordering and delivering supplies should be revised. All withdrawals should be supported by a requisition at time goods are released, and check made to ascertain if supplies are actually needed and are delivered. Expert merchandising manager needed as well as full-time guard for commissary. (See memo No. 12 to Warden)

(44) *Chief steward*, instead of inmate, should make out and supervise menus in Officers' and Guards' mess. Tipping of inmates by guards and guests in Officers' and Guards' mess should be discontinued immediately. Consideration should be given to move O & G mess to another location.

(45) *Old Officers' and Guards' quarters*, above kitchen of general mess has been condemned and is a fire hazard. It should be cleaned up pending demolition. Inmates should not be allowed to work in these quarters.

(46) *Warden or representative* should give farewell "pep" talk to all prisoners leaving for forestry camp or permanent harvestry camp or road camp.

(47) *All free people* visiting prison to view entertainments should be carefully identified. Where crowds are going through gates, some means of identification such as a rubber stamp on back of hand, should be arranged. It was observed that small children were allowed to attend entertainment at night within prison walls. Children under age of 18 should not be allowed in prison to attend shows or entertainments at any time, and should be accompanied by adult when visiting inmates during visiting hours. Children visiting inmates should be carefully watched at all times. (See memo No. 7 to Warden)

(48) *Smoking by guards* and inmates on gate duty should be prohibited.

(49) *Survey of all towers* on prison reservation should be made to examine facilities. (See memo No. 21 to Warden)

(50) *No additional forestry or harvestry camps* should be established, which would weaken institution departments by transfer of trained inmates. Institution needs should be studied and considered first before inmates are assigned to camps. (See memo No. 28 to Warden)

(51) *Sheets for individual cells* should be obtained and supplied if possible. This would be stimulus to morale and would be economical move in helping to lengthen life of blankets. (See memo No. 40 to Warden)

(52) *Sanitary conditions* in all barber shops in institution should be checked; inventory taken, and recommendation made for improvements. (See memo No. 9 to Warden)

* * * * *

EXHIBIT "D"

Preliminary Report
San Quentin Escapes

on December 26, 1943

December 31, 1943

*Honorable Earl Warren
Governor, State of California
State Capitol, Sacramento, California*

DEAR GOVERNOR WARREN: As you requested, the committee appointed to investigate penal affairs in California met at San Quentin to inquire into the circumstances surrounding the purported recent escape of four prisoners. The meeting took place on December 29, 1943, and the following members of the committee were present: Julian H. Alco, Chairman, Burdette Daniels, J. H. McClelland, Walter H. Gordon and Pierce H. Fazel. Senator Deuel and Karl Holton could not attend because of previous commitments.

Full cooperation was extended to the committee by the prison officials, guards and other persons, and it is our belief that this report contains a summary of all the pertinent facts which can be ascertained at this time. A survey was made of the physical properties involved in the escape and a careful verbatim record was made of all testimony.

* In this special report your attention is called to the conditions which made such an escape possible, the modus operandi of the escapees and the points at which the escape should have been stalemated. To the above has been added some comments and conclusions relating to the affair which might well be referred to the prison officials for study and action.

THE ESCAPE

Between 6.30 and 7.30 a.m. on Sunday, the 26th of December, at a time of day when it is still dark, four prisoners named Austin D. Redford, No. 69949, Ralph Francis Ward, No. 69711, Roy Drake, No. 69957, and Lawrence Motari, No. 70170, made their escape past eight free men and over the physical barriers out of the prison. One of the guards who was not on duty gave chase to the escapees while they were still on the prison grounds. Although he did not clearly identify them as prisoners, a full report of his activities was given to his superior immediately. However, no alarm was given nor was the warden notified. A rope and black hook hung on the outer wall all day but the prisoners were not missed until the 4.00 p.m. count. When the warden was notified at 4.10 p.m., all precautionary measures were taken expeditiously but the prisoners had been given a full eight hours to make good their escape. Only one of the convicts has been recaptured. His name is Austin D. Redford, No. 69949, who was apprehended by local officials at Fort Bragg, California, in possession of a stolen truck. † The other three convicts are still at large.

MODUS OPERANDI OF THE ESCAPEES

The four convicts had planned to escape from the time they had arrived at the prison. A favorable opportunity and the means of escape were discussed many times. The plan possible of accomplishment was only crystallized a few days prior to Christmas. A forty-foot length of rope was obtained from the cargo net supply and carried by one of the convicts around his waist to his cell. Another found a suitable piece of steel and fashioned a hook which could be attached to the rope and used to scale the outer wall. Still another obtained a knife and the last a club to be used as a weapon if need be. The hook was thoroughly insulated with tape to eliminate noise. Sunday, December 26, was selected as the day for the escape, for the reason that they could get released from their cells at 6.30 in the morning to attend church services. They accordingly hung outside their cells on Saturday night a printed card which read "Unlock for Christian Fellowship, 6.30 a.m., Sunday" or another card used for the same purpose which read "Mass Attendance Card." Upon release from their cells at the time indicated, the escapees mingled with the other prisoners who were going to church. However, instead of going to either of the services held at that hour, they sauntered in twos past floor post No. 3, manned by Guard Nelsen, and floor post No. 4, manned by Sergeant Praetzel and Guard Lagier. They then made their way past wall post No. 6, manned by Guard Wiley, in the direction of the laundry. They then proceeded through

* Photos of prison premises, descriptions of escapees, statement of C. L. Doose (Capt. of the Guard), and names of persons interviewed on file with original report submitted to Governor Earl Warren.

† Since recaptured at Memphis, Tenn., and in custody awaiting disposal of charges of robberies allegedly committed in other States.

the gate opening into the old ball park and along the north wall of the jute mill yard over an excavation trench. At this time they were observed by Guard Root in wall post No. 7 but he assumed them to be laundry workers. At this point they could have been observed also by guard in wall post No. 8. They then turned in a southerly direction to the gate opening into the laundry. Next they reversed their steps and climbed over a steel gate opening into the jute mill yard in order to obtain access to the excavation ditch while behind the wall. They gained the ditch, crawled into the manhole, went through the hole in the wall and along the open trench across the old ball park. The trench was opened in order to replace a steam line. They went through a hole in the south main wall about midway between wall posts No. 7 and No. 8 and came out of an open manhole into Duffy Recreational Field. Their purpose in using the trench was to conceal themselves from the observations of the guards in wall posts No. 7 and No. 8. From the manhole they proceeded along the easterly and northerly fence to a point in back of the bleachers. Here they threw the grappling hook over the iron rail and climbed the rope to the top of the wall approximately half way between wall posts No. 17 and No. 18. (These posts were not manned at the time of the escape. They are only manned during athletic activities.) A lattice fence about eight feet high assisted them in making the climb up the wall. This lattice work has been removed since the escape but a similar lattice work on the adjoining wall has not been removed. Upon arriving at the top of the wall, the grappling hook and rope was shifted to the outside of the wall and they descended to the ground. Three of them then proceeded in a northwesterly direction toward the guards' houses in what is commonly known as the "valley." After the escapees had passed two or three of the homes, Guard Dalpino, who was on his way to work at the prison, noticed two men in front of house No. 58. Upon their seeing Dalpino, one of the men went to the door as if to knock, and subsequently came down off the porch. Guard Dalpino became suspicious and called upon him to halt. The men then fled over the hill. Guard Dalpino thereupon hailed a truck and immediately drove to the office of the Captain of the Guard, where he notified Captain Doose of the occurrence. At the time Guard Dalpino hollered to the prisoners, one of the escapees became separated from the other three. Upon receiving Guard Dalpino's report, Captain Doose immediately dispatched two automobiles with guards to search the vicinity of the valley, but no trace of any of the men was found. About an hour and a half after Captain Doose was notified by Guard Dalpino, the warden's office was notified of the escape, according to the statement of Mr. A. George Oakley, secretary to the warden. Oakley further stated that he did not notify the warden.

CONDITIONS WHICH MADE THIS ESCAPE POSSIBLE

There are several major conditions which made this break possible. Precautionary measures should have been taken either to eliminate or completely offset the hazard of escape. The conditions are as follows:

a) The location of one of the church services had been changed from the regular chapel to the auditorium. This meant that the two services were held on this particular morning in two buildings on opposite sides of box post No. 4. Some confusion in handling the two groups was indicated by the guards' statements.

b) The darkness in the old ball park and in the new recreational park precluded proper observation of the vicinity by the guards in the wall posts.

c) The trench across the old ball park was opened last September. It would have been completed long ago had not difficulties arisen in obtaining materials. The holes in the two walls had been open about a month.

d) A large turnover in the guard line of about 60 in the last year had occasioned the fact that three of the men named in the previous section of this report have worked for only a very short time.

e) During the recent black-outs and dim-outs, the intensity of the lighting in the yard was cut down. Since these restrictions have been lifted, the lighting has not been restored to its former strength.

f) Regular inspections have not been made of either the walls or the grounds by the Captains of the Guard and Yard.

g) Valid lists of the prisoners to be passed through or past various stations or posts have not been maintained.

POINTS AT WHICH THE ESCAPE SHOULD HAVE BEEN PREVENTED

In reviewing the escape, the following points were obviously vulnerable:

Floor Post No. 3—At this point confusion existed because of the two groups going to church. The guard stationed here left his post to make certain unlocks and was depending upon Box No. 4 to control the movements of the prisoners.

Box Post No. 4—The men at this station were presumed to know all of the prisoners who were permitted past wall post No. 6. From the statement of the escapee, no difficulty was encountered in passing the men at this station.

Wall Post No. 6—The guard at this station states that he was instructed to allow any prisoner to pass his post after 6.45 in the morning. This order presupposes that none except low classification prisoners would pass Box No. 4, which is self-evidently not the case.

Trench—The trench was used as a means of open exit from the prison through the heavy concrete and stone walls. The placing of a guard on the main wall end of this trench during the time the hole was in the wall would have prevented the escape.

Wall Post No. 7 and No. 8—These posts were strategically located in relation to the ditch and open manhole. Adequate light, alertness on the part of the guards and more patrolling the wall would have prevented the escape.

Valley—Guards' Home—The only actual contact made by any of the guards was made by Guard Dalpino when he became suspicious of the noises he heard on his way to work. He hailed the convicts and even pursued them without actually recognizing them and then immediately notified his superior officer. Had an immediate count been taken or the wall search made, the recapture might have been accomplished within a few hours.

COMMENTS AND CONCLUSIONS

From the foregoing, the following conclusions are drawn:

1) Prisoners classified as "close" should not be released from their cells at a time when they can not be properly observed or in the early morning darkness. Three of the four escapees had been classified as "close" by the Classification Board. This custodial rating is defined as general supervision inside the walls, no late lockups and no school privileges. The rating is immediately below the "maximum" classification which provides for direct supervision at all times and possible transfer to Folsom. The qualification "no late lockups" is no more necessary than to qualify the classification by "no early unlocks."

2) There was laxness on the part of the prison engineer in failing to report the opening of the wall in connection with the laying of the steam pipes.

3) Neglect of duty is indicated on the part of the Captain of the Yard, Captain of the Guard and the Sergeant of the Yard in not making a personal inspection of the trench and taking corrective measures.

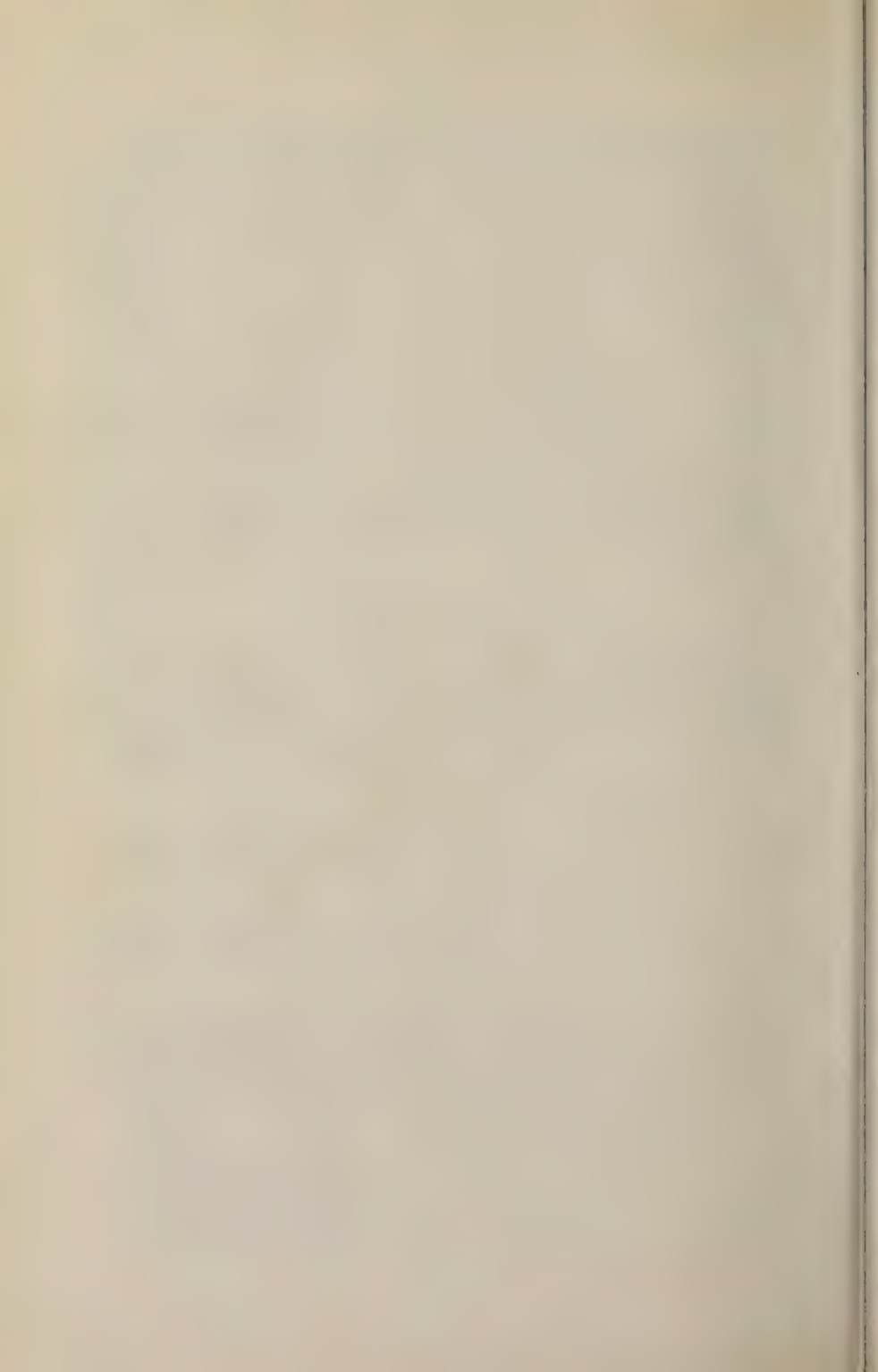
4) There was culpable negligence and dereliction of duty on the part of the Captain of the Guard and the Sergeant of the Yard in not properly inspecting the premises, to see that proper safeguards were maintained to take necessary precautionary steps to prevent an escape, and to report such matters to the warden. It is very evident that the guard line should be better supervised and be more alert.

5) A better system for checking of inmates into their various departments of employment, or attending educational or religious services should be adopted.

The committee has been advised that Warden Duffy took action on December 30, 1943, by suspending the following employees subject to a complete review and report of the incidents by the Board of Prison Directors at their meeting scheduled for January 9, 1944: Sergeant Praetzel, Guards Root and Byrne, Captain Doose, Engineer Simpson and Assistant Secretary Oakley.

Respectfully submitted.

JULIAN H. ALCO, Chairman
BURDETTE DANIELS
J. H. McCLELLAND
WALTER H. GORDON
PIERCE H. FAZEL



Final Report of Governor's
Investigation Committee
on Penal Affairs



Submitted to the
Honorable Earl Warren
Governor of California

January 21, 1944

**MEMBERSHIP OF GOVERNOR'S COMMITTEE TO INVESTIGATE
PENAL AFFAIRS IN CALIFORNIA**

(Appointed November 29, 1943)

JULIAN H. ALCO, Chairman-----Member of the Board of Prison Directors
SENATOR CHARLES H. DEUEL-----Member of the State Legislature
PIERCE H. FAZEL-----Analyst for the Department of Finance
WALTER GORDON-----Member of the Board of Prison Terms and Paroles
JOSEPH H. McLELLAND-----Chief Special Agent for the Attorney General
BURDETTE J. DANIELS-----Legislative Secretary to the Governor
KARL HOLTON-----Director of the California Youth Authority
(Appointed by the Governor on December 22, 1943)

TABLE OF CONTENTS

	PAGE
Letter of Transmittal.....	4
Introduction.....	
Appointment of Committee.....	5
Scope of Investigation.....	5
Places and Dates of Meetings.....	5
Findings.....	
Many Separate Penal and Correctional Systems.....	5
Infrequency of Meetings of Prison Board.....	6
Centralization of Systems Needed.....	7
Previous Reports Quoted.....	7
Administration.....	
Internal Management of the Prisons.....	8
Business Reorganization.....	8
Physical Facilities.....	
Urgent Needs at Folsom.....	9
Urgent Needs at San Quentin.....	9
Personnel.....	
Free Employees.....	9
Convict Workers.....	10
Discipline.....	
Discipline of Personnel.....	10
Visitations.....	12
Escapes.....	12
Classification.....	
Custodial Classifications.....	13
Segregation.....	16
Industries and Employment.....	16
Education.....	16
Religion.....	16
Sanitation and Health.....	17
Racial Discrimination.....	17
Camps.....	17
Paroles.....	19
Correctional Schools.....	19
Conclusion.....	20
Appendices—	
Report on Folsom Prison.....	23
Report on San Quentin Prison.....	27
Report on California Institution for Men at Chino.....	32
Report on Bureau of Paroles.....	39
Report on Board of Prison Terms and Paroles.....	42
Report on California Institution for Women at Tehachapi.....	44
Report on Preston School of Industry.....	47
Report on Fred C. Nelles School for Boys at Whittier.....	51
Report on Ventura School for Girls.....	53

GOVERNOR'S INVESTIGATION COMMITTEE ON PENAL AFFAIRS

January 21, 1944

*Honorable Earl Warren, Governor
State of California*

Capitol Building, Sacramento, California

DEAR GOVERNOR WARREN: This committee appointed by you to study and report on the conditions of penal affairs in California, has compiled its final report. Previously two reports have been submitted covering the preliminary investigation of Folsom Prison and the special investigation of the escape of four desperate convicts from San Quentin on the day after Christmas 1943. The final and other reports are available in sufficient quantities for the public who may be interested.

The conditions reported upon herein and found to exist in our penal system are a challenge to every public spirited citizen of this State. The solution lies in a complete reorganization of this function of State Government.

The history of prison management in California reveals scandal after scandal and a sordid record of mismanagement. Many previous studies have been made by legislative committees, by the Bureau of Public Administration of the University of California, and by the Osborne Association, Inc., all coming to the same conclusion that the whole administrative structure needs to be reorganized. The report of your special investigating committee is, in fact, merely a current confirmation of the facts and recommendations made many times in the past by other investigating groups.

At the present time, the prison inmate population is relatively low. Every authority believes that after the war is over crime will increase and prison populations will soar to new high levels. It would appear that if the prisons could be completely reorganized now, the new system could pass through the organization experimental stage and be ready to assume the tremendous responsibilities which will be thrust upon prison management in the difficult reconstruction period which will follow at the end of the war.

The committee believes that most of the persons now engaged in prison administration are conscientious and sincere. The committee believes that most of these men and women will be willing to forget petty self-interests, jealousies and personalities, and will join with you in your effort to modernize our penal structure.

The committee received the full cooperation of all the officials of the prisons and correctional schools, and takes this opportunity to express its appreciation to them.

Respectfully submitted,

JULIAN H. ALCO, Chairman
Member of the Board of Prison Directors
CHARLES H. DEUEL, Senator
Member of the Legislature
BURDETTE J. DANIELS
Legislative Secretary to the Governor
PIERCE H. FAZEL
Analyst, Department of Finance
WALTER GORDON
Member of the Board of Prison Terms
and Paroles
KARL HOLTEN
Director of California Youth Authority
JOSEPH H. MCCLELLAND
Chief Special Agent to Attorney General

INTRODUCTION

On November 29, 1943, Governor Earl Warren appointed a committee to investigate the penal and correctional institutions of the State.

The Governor requested the members of the committee to make a thorough and unbiased investigation of all State penal institutions and the correctional schools, and to submit a written report setting forth the facts found by the committee.

The Governor further requested that the committee first investigate conditions existing at Straloch Ranch Camp at Davis which was operated as a prison camp by Folsom Prison. A special preliminary report of conditions contributing to numerous escapes from that camp, was filed with the Governor December 13, 1943.

The sensational escape of four prisoners from San Quentin on December 26, 1943, resulted in the committee being requested to meet at San Quentin and investigate the circumstances surrounding that escape. A written report revealing negligences which permitted this escape, was filed with the Governor December 31, 1943.

The committee in the regular performance of its duty has held sessions at the following places:

FOLSOM PRISON : November 30, December 1, 4 to 8 incl., 12, 13 and 14, 1943 ;

SAN QUENTIN PRISON : December 18, 19, 29, 30, 1943 ; January 4, 1944 ;

FRED C. NELLES SCHOOL FOR BOYS : January 2, 1944 ;

VENTURA SCHOOL FOR GIRLS : January 3, 1944 ;

ALCATRAZ PENITENTIARY : January 5, 1944 ;

CALIFORNIA INSTITUTION FOR MEN AT CHINO : January 9, 10, 1944 ;

PRESTON SCHOOL OF INDUSTRY AT IONE : January 12, 1944 ;

STATE CAPITOL : November 29, December 8, 1943, January 14 to 19th incl. 1944.

The committee has received testimony from 220 witnesses, all of whom personally appeared before the committee. Among these witnesses have been wardens and superintendents of the different correctional and penal institutions, employees, former employees and inmates. In addition 48 written statements have been taken by the special agents of the Attorney General's office and submitted to the committee. Numerous statistical reports and audits have been considered and filed with the committee. The statements, audit reports and transcript of the testimony taken before the committee are herewith submitted.

The committee made tours of inspection of the grounds and physical facilities of the penal institutions and the correctional schools above named. It has held two meetings with the Board of Prison Directors and one meeting with the Board of Prison Terms and Paroles.

FINDINGS

The committee has found in its investigation many inefficiencies and even derelictions in duty, which it attributes to the system under which our prisons are now managed. As have others who have investigated our prison problem, it has found that confusion exists both in regard to authority and responsibility. In fact it can escape no other conclusion than that California actually has many separate penal and correctional systems, rather than one, with a resultant impairment in efficiency and increase in cost.

Folsom, San Quentin, and the California Institution for Men at Chino, operate under the jurisdiction of a Board of Prison Directors. The California Institution for Women at Tehachapi operates under an independent Board of Trustees ; and the Fred C. Nelles School for Boys at Whittier, the Ventura School for Girls, and the Preston School of Industry at Ione, are supervised by the California Youth Authority.

In addition, it should be pointed out that there actually exist three systems in the direction of Folsom, San Quentin, and the California Institution for Men at Chino ; for while they operate under the jurisdiction of a nonsalaried Board of Prison Directors, the actual management is under the direction of three separate wardens whose contacts with this board are infrequent and primarily of an advisory nature.

INFREQUENCY OF MEETINGS OF THE PRISON BOARD

As previously mentioned, the Board of Prison Directors are charged with the duty of handling the business management and custodial problems of San Quentin and Folsom Prisons and the California Institution for Men at Chino. The committee has found the administration of these institutions can not properly be handled by a non-salaried, five-man board. To illustrate this point we need but refer to the record of the board, which discloses the amount of time spent in administering these institutions. During the period from January 23, 1942, to December 17, 1943, the board met 29 days. The following was taken from the official minutes of the Board of Prison Directors and shows the dates upon which the board met and the amount of time spent at each meeting of the board.

FOLSOM PRISON

<i>Date</i>	<i>Convened</i>	<i>Adjourned</i>	<i>No. of Hours</i>
March 20, 1942-----	10.00 a.m.	11.30 p.m.	1½
July 18, 1942-----	10.00 a.m.	3.00 p.m.	5
January 22, 1943-----	7.30 p.m.	10.00 p.m.	2½
January 23, 1943-----	10.00 a.m.	1.30 p.m.	3½
May 29, 1943-----	10.00 a.m.	4.15 p.m.	6½
October 21, 1943-----	10.30 a.m.	12.00 m. }	4
	2.30 p.m.	5.00 p.m. }	
October 22, 1943-----	9.00 a.m.	5.00 p.m.	8
November 30, 1943-----	11.00 a.m.	11.15 p.m.	12½

The total time consumed by these meetings is 43 hours.

SAN QUENTIN PRISON

<i>Date</i>	<i>Convened</i>	<i>Adjourned</i>	<i>No. of Hours</i>
January 23, 1942-----	11.30 a.m.	5.45 p.m.	6½
February 28, 1942-----	10.00 a.m.	4.00 p.m.	6
March 21, 1942-----	10.30 a.m.	4.00 p.m.	5½
April 18, 1942-----	10.15 a.m.	4.10 p.m.	5 11/12
May 16, 1942-----	10.00 a.m.	4.00 p.m.	6
August 29, 1942-----	10.00 a.m.	3.30 p.m.	5½
November 28, 1942-----	10.00 a.m.	3.30 p.m.	5½
March 20, 1943-----	10.00 a.m.	4.00 p.m.	6
July 2, 1943-----	11.00 a.m.	5.00 p.m.	6
July 3, 1943-----	9.30 a.m.	2.15 p.m.	4½
July 31, 1943*			
August 14, 1943-----	9.45 a.m.	5.30 p.m.	7½
November 12, 1943-----	10.30 a.m.	4.30 p.m.	6

* Office of Dr. W. Earle Smith, 83 McAllister Street, San Francisco.

The total time consumed by these meetings is 71 hours, 10 minutes.

CALIFORNIA INSTITUTION FOR MEN

<i>Date</i>	<i>Convened</i>	<i>Adjourned</i>	<i>No. of Hours</i>
September 25, 1942-----	10.00 a.m.	5.00 p.m.	7
September 26, 1942-----	10.00 a.m.	3.00 p.m.	5
November 11, 1942-----	11.30 a.m.	3.00 p.m.	3½
February 6, 1943-----	9.45 a.m.	1.00 p.m.	3½
April 24, 1943-----	10.00 a.m.	4.15 p.m.	6½
September 24, 1943-----	10.00 a.m.	5.30 p.m.	7½
September 25, 1943-----	10.00 a.m.	3.00 p.m.	5
December 17, 1943-----	8.30 a.m.	7.00 p.m.	10½

The total time consumed by these meetings is 48 hours.

The above tabulation shows during this two-year period, the Board of Prison Directors only met at Folsom Prison eight times and spent a total of 43 hours in official meetings; at San Quentin Prison 13 times and spent a total of 71 hours and 10 minutes; and at the California Institution for Men at Chino eight times and spent a total of 48 hours.

This means that the Prison Board, during the past two years, spent a total of 162 hours and 10 minutes in official board meetings in administering three prisons representing a capital investment of \$10,386,710.90, with a total biennial budget of over \$5,000,000, with a staff of approximately 600 paid personnel, with an average daily inmate population of 5,515 during the Ninety-fourth Fiscal Year. In this period of time, they had to supervise the fiscal operations, regulate all personnel practices and procedures, and plan and supervise all programs for inmate care, custody and rehabilitation. In addition, they were responsible for the establishment of harvest and forestry camps scattered throughout the State, as well as the Bureau of Paroles and the Detective License Bureau. Such responsibilities obviously can not be efficiently met with this type of administration.

CENTRALIZATION OF SYSTEMS NEEDED

Ample evidence was adduced before this committee showing that until these several independent systems are supplanted by one administrative department, there is no hope for a proper business administration or an adequate program of custodial care and supervision. Due to the confused and conflicting authority, it is impossible for the wardens and superintendents of the several penal and correctional institutions to operate efficiently. The committee finds that there is a complete lack of continuity of policy and business administration. Each institution appears to be going in its own separate direction regardless of the effect such policy might have upon the over-all penal problem in the State.

It is the committee's belief that the need of centralizing these several systems of correctional activity is of great importance and immediate urgency. It should be pointed out that while California's penal population is now the lowest in many years, penal history reveals that a definite cycle exists, which is influenced by wars. During this war, as during the first world war, our prison population has materially declined. We have no reason to believe it will not materially increase following this war as it did following the previous war. Action now will decrease confusion and inefficiency later on when all problems will have again been magnified by population increase.

It is noted by the committee that during the past decade there has been repeated cause for investigation and surveys of the California Penal System. Analysis of all such studies and reports, as submitted to Governors and to the Legislature, leads to one basic conclusion: the involved and discordant administrative structure of the penal and correctional systems requires coordination and central organization.

PREVIOUS REPORTS

This conclusion has been emphasized in the following reports:

"That entire reorganization of the penal system be made, with a director at its head, skilled and trained in modern penological practices * * * and should be given wide powers over the institutions, their management and control."

(Report of Senate Interim Committee on Penal and Correctional Institutions dated March 16, 1943, page 22.)

"It is the firm conviction of the committee that the foundations of an efficient, modern correctional system must be laid in a sound * * * modern business setup. Until the business administration of our correctional system is as sound, well coordinated and efficient as that of a corporation doing state-wide business, basic prison reforms will be impossible."

(Report of Governor's Committee for Investigation of State Penal Institutions, submitted to Governor Olson, March 19, 1941.)

"There is a pronounced unanimity * * * in favor of the board and single administrator combination as opposed to plural executive—a board dealing directly with administration of individual institutions. This is the current issue in California. According to California Joint Legislative Fact-Finding Committee, * * * the administration of California penal institutions is handicapped by the system under which it functions * * * We have a State Prison Board consisting of five members who give their time gratuitously to the State of California, they receive no pay, and are charged with the heavy and serious responsibility of administering our penal system and with the duty of caring for and rehabilitating its prisoners * * * This work should be administered by a well qualified, full-time Director of Corrections with the State Prison Board

acting in the capacity of a rule-making and policy-forming body for the Department of Corrections."

(Report by Milton Chernin, Legislative Problems No. 6 (1941) Bureau of Public Administration, University of California, Page 8.)

"California's present plan of penal administration originated in 1879, when the problems of prison administration and management were comparatively simple, while at the present time the development of prison affairs has become so complex that a lay board of five members can no longer by itself adequately administer the system. Other large States, such as Illinois, Massachusetts, New York, and Ohio, with similar complex prison problems, have found it expedient to organize a separate department of the State Government to deal with this matter. Such a department, headed by a single, qualified executive with wide powers, could develop and put into practice modern and progressive programs dealing with California's prison system."

(Legislative Problems No. 17, by Milton Chernin. (December 15, 1934) Bureau of Public Administration, University of California, page 11.)

"* * * 'The State's penal system has evolved without the benefit of a well-considered plan. It does not provide for a proper segregation of classes of prisoners; and the men's prisons are difficult to administer under the circumstances. The system is disunited and unwieldy; it has grown without the guidance of a sound policy. The prisons have generally failed in disciplinary service and in their efforts to better equip the prisoners who are released to accept honest roles in the community.'"

(Final Report of Committee on State Organization to the Governor and the Legislature of California (1941, page 55.)

Similar conclusions have been arrived at in the 1942 report of The Osborne Association, Inc., in its Handbook of American Prisons and Reformatories, 5th Edition, Volume II, at pages 205 to 207, inclusive.

This committee, on the basis of its findings, likewise wishes to emphasize that improvements in our Penal System will be brought about only by improvements in the field of management.

ADMINISTRATION

The Board of Prison Directors has failed to set up a standard personnel organization within the prisons.

The internal management is not properly divisionalized at either of the major prisons. This results in innumerable small units whose work is not coordinated or properly directed. Each of these unit heads reports to the warden. This puts a tremendous burden on the wardens and renders it practically impossible for them to get an adequate over-all picture of day to day operations. At San Quentin, for example, no two executives had the same idea as to the number of divisions in the institution. The warden's own estimate was that there were approximately forty division heads who reported to him personally. An illustration of the lack of coordination was found at San Quentin Prison where the head of the commissary testified that he had little control over warehousemen, shipping clerks, coordinator of supplies, distribution officer and manufacturer of clothing. He was held responsible for these activities but the head of each one of these subdivisions reported to the warden. This, he stated, made it difficult to plan his work or to have any knowledge of daily activities, or to accurately estimate yearly needs.

One of the outstanding needs within the prisons is a complete business reorganization where the internal management is definitely organized so that all employees know who is responsible for each activity. There is also the need to clarify lines of authority, and responsibility to delegate such authority. Men who were hired as guards were placed in charge of some of the shops. These men had little knowledge of shop management; in many instances the inmate assistants called "con bosses," knew more about shop operations than did the free man who was nominally in charge of the activity. This resulted in lack of respect for the free man and in actual management of the shop by the inmate "con boss." Duties of the free employees are not clearly defined. Testimony indicated that in many instances employees had not received definite oral or written instructions as to the scope of their duties or responsibilities.

The Board of Prison Directors appoint and have under their jurisdiction a clerk in each of the three prisons. The clerk at San Quentin has charge of the convict records and in all of the prisons the clerks have supervision over the accounting phases of operations. The clerks, as representatives of the Prison Board, are not under the jurisdiction of the warden. The warden is the responsible head of the entire prison but the clerk who is responsible for the convict records and accounting, reports directly to the Board of Prison Directors. This deprives the warden of control over the business records of the institution and interferes with orderly and efficient business management. Budgetary control, as reflected through the accounting records, is not well utilized by the warden in regulating the operative functions of the prison.

Since the clerks and the wardens are both appointed by the Board of Prison Directors, a natural conflict in reporting to members of the Prison Board, as well as to the board itself, arises. Dissent and conflict in the executive office of a prison has a tendency to confuse the organization and to negate the successful accomplishment of the functions.

Members of the Board of Prison Directors have participated to a degree in the administrative functions of the prisons as individuals. Prison Directors have individually advised the division heads in the prisons without the complete knowledge of the wardens. This practice appeared to be one of the reasons for dissent among the religious groups at San Quentin and also one of the reasons for the conflict between the religious groups and the psychiatrist. It came to the attention of the committee many times that members of the Board of Prison Directors as individuals, consulted with and advised the wardens in respect to their duties on matters concerned with the operation of the prison. In other instances, members of the Board of Prison Directors have had conferences with convicts and with subordinate employees of the wardens. Such are examples of the type of relationship which causes confusion in the administration of the prisons.

One of the most important factors in the proper operation of the prison system is the obtaining of raw materials, proper processing and service of food. The committee inquired carefully into this subject and found that the State Department of Public Health had rendered a very valuable service in this regard. The food control program is being followed by prison management and has proved to be of great benefit.

PHYSICAL FACILITIES

More detailed analysis of the physical facilities and the needs for adjustments and additions will be found in the individual reports on the institutions included in the appendix. Your attention, however, is directed to the urgent needs as noted by the committee:

Folsom: The shoe and clothing shops are located in the basement of the old administration building where inadequate space is provided. They are poorly lighted, poorly ventilated, and poorly arranged—the school and library are located in a single large room formerly used for an auditorium. This room is not conducive to the proper functioning of either. The tuberculosis ward in the hospital is located on an upper floor of the administration building and has no area in which proper exercise can be given and was in an unclean condition at the time the committee visited the ward.

San Quentin: A chapel for religious services is provided by arranging chairs in a small space in the library—the yard lighting facilities are inadequate and should be improved—the old industrial building used for war projects has been condemned—old Cell Blocks 1 and 2 have no sanitation facilities.

PERSONNEL

Free: Prisons, in common with all other State institutions, face an acute personnel problem. It is difficult to recruit and retain qualified men for the guard line and for all of the other positions in the prison. The prisons should contract with the State Personnel Board to make a job analysis of the various positions within the prisons. Qualifications should be established and duty statements written for the various types of work to be performed. Civil service status should be given to all employees below the rank of warden to encourage men to enter into prison service on a career basis. Work assignments should be rotated more frequently than is the present practice and competent men should be trained as understudies to executives holding key positions.

There is a great turnover in personnel at the present time. There is no In-Service Training Program worthy of that name in any of the prisons. The Federal Prison System has been forced to streamline its In-Service Training Program but has continued it because the Federal prison management deems it more necessary than ever before to give continuous training to new personnel, particularly when so many of the newcomers have insufficient background or training for the work they are undertaking.

Men on the guard line are fingerprinted and photographed but, in many cases, are put to work before these fingerprints clear through the Identification Bureau. This appears to be a dangerous practice and should be avoided.

In a properly organized department of corrections, all employees in all of the prisons should have an opportunity to compete for better jobs. This would improve morale and bring competent younger men to the top in the prison service.

The entire salary scale should be examined and obvious inequalities eliminated. The study should comprehend an evaluation of the services rendered in each position and a rate of pay should be established commensurate with the duties performed. There is ample evidence of inequalities in the pay scale, not only within the organization of each prison but also as between the various prisons.

Convict: In all of the prisons, there is extensive use of inmate help in positions of responsibility. This is a bad practice which is not followed in the Federal system. It leads to favoritism, to inmate politics, and to the establishment of a "con-boss" system. There appears to be a tendency to keep qualified inmate help on important and desirable positions for long periods of time. If inmate help is to be used in these more important assignments, it would appear advisable to at least rotate the convicts so assigned. In all of the prisons, inmate help prepares confidential records and writes the narratives which go into the prisoner's file, and which are used before the classification committee, the Board of Prison Directors and the Board of Prison Terms and Pardons. This is a dangerous practice and should be discontinued as quickly as free personnel can be employed to do the work. It is possible for records to be changed, for vital information to be omitted and for material to be added which materially affects the classification of prisoners and even the length of time which they serve in prison.

DISCIPLINE

The matter of discipline within the penitentiaries of California, as in the case of all other penitentiaries, is one of changing trends. It has not been so long ago that punishments of medieval character were inflicted upon those incarcerated for crime. During the prison history of California, dating back to the formation of the State at which time discipline amounted to outright cruelty and corporal punishment, there has been a constant and consistent evolution leading to presently accepted standards of human treatment divorced from physical torture or corporal chastisement or incarceration in dungeons under horrible conditions. However, even as recently as the last decade, the reprimanding of prisoners in California prisons sometimes descended to the infliction upon the inmates of punishments which amounted to cruelty in the physical sense.

The present trend in this matter of discipline and punishment of prisoners is toward a laxity which is dangerous. Its effect infringes upon principles of security and orderliness of conduct to the extent that it tends to destroy inner control and contributes to disrespect of the inmate for all authority under which riots and chaos might easily occur.

The committee feels that this trend, at present most apparent in the prisons of California, differing in degree, of course, in accordance with the institution and the type of inmate there confined, is toward a liberality so extreme as to be destructive to morale and inviting of contempt among the inmates and reacting unfavorably upon the public. The matter of discipline in all these institutions is not one wholly attached to the conduct of the convict inmates. There is a correlation between disciplinary methods applied to the inmates and those imposed upon the custodians.

DISCIPLINE OF PERSONNEL

The committee found that there exists within certain of the penal institutions of this State disloyalty and factional differences within the personnel, which was due very largely to lack of coordination of responsibilities and in some instances the personnel had become institutionalized which, in turn, bred envies and jealousies which the wardens seemed unable to control if, in fact, any attempt at control was made.

It is the belief of the committee that only under a complete change and a reorganization of the whole penal system can these conditions be corrected. Many witnesses who appeared before the committee, principally at Folsom and San Quentin Prisons, were of the opinion that discipline was altogether too lax in both of these institutions, and there was some evidence that supervision of prisoners was lax and the discipline poor at the California Institution for Men at Chino. This laxity of supervision and discipline not only reflected upon the morale of the inmate population, but had a definite influence upon the morale of the free employees, principally the guard line and supervisors.

After all, adequate discipline among inmates is impossible where inadequate discipline exists among the personnel.

At Folsom Prison this is amply illustrated by the testimony of witnesses who appeared before the committee and stated substantially as follows:

Due to the laxity in discipline the situation with reference to the guard line is not a healthy condition. (Reporter's Transcript, page 420)

Discipline is needed here above all things. (Reporter's Transcript, page 261)

For the good of prison management, discipline should be tightened up. (Reporter's Transcript, page 440)

Discipline among the inmates is necessary to develop self-discipline and a prisoner who is released without this training is not properly rehabilitated. (Reporter's Transcript, page 442)

It is the feeling among the majority of the inmates that they feel there is a laxity of discipline. They say "give us some discipline." (Reporter's Transcript, page 669)

Discipline is not strict enough. If a prisoner breaks a rule generally his good time credits are not taken away from him. (Reporter's Transcript, pages 800 and 801)

Until 1938, the rule of the Board of Prison Directors was that if prisoners were guilty of an act of degeneracy, the board would order forfeited a year's credits. Since then, this is not the rule. (Reporter's Transcript, page 424)

The warden has taken an attitude of laxity as far as discipline is concerned, because he was instructed by the Board of Prison Directors to do so. (Reporter's Transcript, page 438)

About two years ago an investigation was made at Folsom Prison regarding the immoral conditions. This was called to the attention of the Board of Prison Directors but they did nothing about it. (Reporter's Transcript, page 781)

On different occasions the clerks of the Board of Prison Directors discussed with the board the laxity of discipline and other conditions affecting the morale of the free help and prisoners. (Reporter's Transcript, pages 923, 949, 950, 955, 959)

The Board of Prison Directors visited Folsom Prison about only once in every six months. (Reporter's Transcript, pages 964 and 965)

At San Quentin Prison the testimony shows:

It is a dangerous practice here to have "free people mingle with inmates without supervision"—"thank the Lord that nothing has ever happened yet."—It is "risky" from the standpoint of guarding prisoners—nobody "would deny that". (Reporter's Transcript, pages 1355, 1356)

"I have a stamp of mine, with my name on it, that I stamp ducats with, and privilege cards—there are two or three of these stamps in the yard and you couldn't tell but what they are mine."

The prisoners can make anything here. "Stamps don't mean anything—signatures don't mean anything—keys don't mean anything in the prison. You can go in there and lock up something or other, and in half an hour there will be a dozen keys just like it." (Reporter's Transcript, page 1356)

"Gambling," "degeneracy" and "drinking home-made hooch" * * * "we know that it goes on." "The only thing that I can think of that would minimize it would be for more supervision of the inmates,—more free men supervision of the inmates." (Reporter's Transcript, page 1358)

"In the regime of the previous warden there was a regime of cruelty. I think cruelty has been eliminated but I am afraid we have gone to the other extreme. We have allowed a lot of laxity to creep in. * * * Among the prisoners they have very little respect any more for authority." (Reporter's Transcript, January 4, 1944)

VISITATIONS

At both San Quentin and Folsom Prisons there has grown up a practice of visitation by large and small groups of people which the committee views with concern. The giving of dinners, and tourist trips through the prisons, particularly late at night after the inmates are locked up, is a very bad practice. The giving of shows and entertainments under prison auspices does not lend itself, in the opinion of the committee, to proper discipline and is besides, dangerous in that it is possible for contraband of many kinds to enter the prisons. The committee does not believe that it is sound policy to exploit the prisons and the unfortunates therein for purposes of personal aggrandizement on the part of wardens, however high the motives. This practice of wholesale visitations has gone beyond the bounds of both reason and proper conception of security in prison administration. The prisons are in no sense show places for the populace. As one witness who testified before the committee stated.

"I think this broadcasting and these big meetings in the prison have been very very bad." (Reporter's Transcript, January 4, 1944)

Visits to the prisons by proper officials and by relatives and friends under certain restricted conditions are proper, but the intrusion by large groups of people motivated chiefly by curiosity are of no benefit nor do they promote better management and control and discipline. On the other hand, there is reason to believe that many inmates object to having their misfortune publicized in this manner.

The committee in no sense favors the reversion of disciplinary methods to that primitive state which was once a disgrace to human kind, but it emphatically believes that the present trend is toward a laxity and a softness which can only ultimately result, if not in disaster, then in disrespect for all authority and practical defeat of the legal measures which society has formulated for the control of offenders and for its own security. Proper discipline does not necessarily mean harshness and cruelty, but it does mean that degree of firmness which impresses itself upon the consciousness of those under control and thus tends to an orderly state of mind in the inmates which is essentially necessary for them to acquire under any conception and practice of rehabilitation.

ESCAPES

When considering the discipline of the prison system as it affects both inmates and employees, the successive yearly record of escapes should be analyzed. The relaxation of discipline by the guarding organizations is indicated particularly during the last four years. The inmates are responsive to every lessening of the rules and regulations which control their actions. The camp and Chino records of escape has increased the total.

During the last 10 years 235 convicts have escaped. Of this total of 235, 184 occurred in the four-year period since 1939. As between prisons and camps the record shows that 70 escaped from the three prisons and 165 from prison farms and camps. The all time high was the last calendar year of 1943, when a total of 109 escaped. This obviously shows a relaxation of vigilance which may be attributable to a large extent to the policy governing disciplinary practices, both in the prisons, harvest camps and prison ranches.

A record of the escapes by years and units is as follows:

	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	Total
SAN QUENTIN											
Prison -----	5*	4	2			1				8	20
Camps -----	9	6	2	1	5	7	3	8	17	26	84
Total ----	14	10	4	1	5	8	3	8	17	34	104
FOLSOM											
Prison -----	2	1						3	4	7	17
Camps -----	3	2				1	7	4	4	24	45
Total ----	5	3				1	7	7	8	31	62
CHINO											
Prison -----								7	16	22	45
Camps -----									2	22	24
Total ----								7	18	44	69
Total Prisons -----	7	5	2			1		10	20	37	82
Total Camps -----	12	8	2	1	5	8	10	12	23	72	153
Grand Total ---	19	13	4	1	5	9	10	22	43	109	235

* Includes three escapes from Tehachapi while it was under the Board of Prison Directors.

Included in prison escapes are 12 escapes from ranches located at the prisons.

The number of escapes as indicated by the above table can not be taken lightly or excused on the basis that the hastily organized camp program was responsible. The record discloses that during the calendar year 1943 the eight escapes from San Quentin Prison proper was within one of equaling the total of the prior nine years. In the last three years the five escapes from Folsom Prison proper may be compared to one for the previous seven years. At Chino the escapes for the last three years totaling 45, were more than half of the record of all California State prisons for the last 10 years. The prison population in these recent years when the escapes were so numerous, was at a relatively low level approximating only 60 per cent of the 1939 peak.

Since one of the primary objectives of the prisons is to protect the communities against the depredations of criminals, management should carefully analyze the conditions, both employee and physical, which make each escape possible. It was noted by the committee that the escape of four desperate young criminals from San Quentin the day after Christmas in 1943, was investigated by the warden of San Quentin and action taken the day after this committee concluded its survey of the conditions surrounding the escape, by suspending six of the employees implicated therein. Subsequently, after the convicts had been recaptured, the six employees were reinstated.

It is the committee's belief that inefficient custodial care leads to such conditions as are indicated by this table.

CLASSIFICATION

Prisoners are first assigned to San Quentin Prison, and upon admission to the institution they are transferred to the receiving unit for a quarantine period of from 10 to 14 days, after which they are given temporary work assignments. First offenders are housed separately from recidivists. The prisoner is sent through the identification bureau, interviewed by a senior social interviewer, sent to the medical department for a complete physical examination, to the supervisor of education for achievement, aptitude and intelligence tests, to the psychiatrist for neuropsychiatric study, and to the chaplain for religious interests. (The mental tests given in the education department consist of standardized tests which are administered and graded by convict help. These test results can not be reliable.)

Approximately six weeks after the prisoner arrives at San Quentin, the various departments submit reports to the classification secretary. The classification committee, consisting of the deputy warden, captain of the yard, chaplain, educational director, psychiatrist and classification secretary, meets twice weekly. The data above

referred to, plus the probation officer's report, proceedings at time of sentence, district attorney and county judge's summary, and Bureau of Identification reports, are considered when available. The inmate is then classified as to

1. Custody, supervision and segregation.
2. Transfer to another institution.
3. Prison employment.
4. Medical or neuropsychiatric treatment.
5. Educational program.
6. Religious guidance.

Inmates are not brought before the committee for interview, but are notified of their classifications.

CUSTODIAL CLASSIFICATIONS

Inmates are classified as maximum, close, medium and minimum security risks.

Men classified as "maximum" at time of initial classification are recommended for transfer to Folsom, and are interviewed by the classification committee. As a general rule, other prisoners are not brought before the committee for personal interview. The cases of men recommended for transfer are submitted to the warden for approval.

Following initial classification, an inmate's case is considered twice again during the first 13 months, for reclassification. The first reclassification is generally after six months' incarceration; the second is after the parole hearing. At these reclassification hearings, the inmate's attitude, work report, conduct report, education progress and emotional adjustments are considered. At any time that an inmate loses his regular privileges for misconduct, his case is considered for reclassification.

Men having good work and conduct records, classified as minimum security risks, and who are within one year of parole or discharge, are approved for harvest transfer. The same type of men having more than one year remaining before release, are approved for road or forestry camp. Men having good work and conduct records, classified as minimum security risks, either with terms set or unset, are eligible for transfer to Chino, excepting drug addicts, sex offenders, murderers, recidivists, and the physically and mentally unfit. No men having either recent poor work or conduct records, are eligible to transfer to camps or to Chino.

Exceptions to the above policy have been made. The demand for manpower in the harvest camps was urgent and was the reason for many exceptions. The need for manpower at Chino was also the basic cause for exceptions being made in the cases of some men transferred to that institution.

The entire transfer program of men classified as minimum security risks, to the various camps and to Chino, is based upon the policy of the board of directors that there can be no regeneration except in freedom, that rehabilitation must come from within the individual, and that through classification and segregation, there be a gradual release from custodial restraint, with a corresponding increase in personal responsibility and freedom of choice.

The wardens approve transfers from the prisons to the camps. The superintendent of the California Institution for Men at Chino, approves all men transferred to that institution. The warden at Folsom must accept the men transferred to him. It is the policy that men transferred from Folsom back to San Quentin can only be transferred if the warden of San Quentin approves.

The committee found that the men composing the classification committee at San Quentin all had other full-time, important assignments. They regarded the work of the classification committee as extremely important. One witness characterized the system as follows: "The classification board at San Quentin is doing an indifferently good job. It is a joke. * * * I attribute it to the fact that they are untried and they are overloaded with other work. I think they ought to have nothing else to do and they ought to have a background for that work. The men on the classification board have been trying to carry other jobs and they have been doing a rather bad job on classification." (Reporter's Transcript, January 4, 1944.) All felt that they should have more time for classification work. Some of the members of the classification committee had little or no personal knowledge of the prisoners at the time of first classification. The reports from the various departments are prepared in the secretary's office by inmate help. In these narratives is a compilation of data upon which the committee members must rely. All concerned agreed that such narratives should not be made by inmate help, and that free personnel should take over the duty of compiling such narratives at the earliest possible moment.

The wardens do not necessarily follow the recommendations of the classification committee. For various reasons men whom the committee classifies as minimum risks, remain in San Quentin. Occasionally men who are classified as maximum risks, and who would ordinarily go to Folsom, are also retained at San Quentin.

At Folsom and Chino, there are institutional classification committees, which follow approximately the same procedure as above outlined. The men are restudied and rechecked, and as a result of the classification committee findings, the program of segregation, work, education, etc., is determined. At both Chino and Folsom the narratives are prepared by inmate help. Again all agree that this practice should be discontinued.

The classification work done at San Quentin is the most important as far as the over-all assignment of men to the prisons is concerned. All men are received at San Quentin and go from there to the other institutions and camps. It is necessary for the classification committee members to have more time to spend on this work. The committee is handicapped because of lack of adequate doctors in the hospital and the inability of the physician to regularly attend. Medical reports, however, are obtained. Many members of the classification committee were dissatisfied with their relationship to the Board of Prison Terms and Paroles. They felt that it would be advisable for them to meet occasionally with the Board of Prison Terms and Paroles and to make information in their possession available to that board. Because of the need for manpower at Chino and at the camps, many men were transferred to Chino within five or six weeks after arriving at San Quentin. Most classification committee members felt that this was undesirable and that they should have a longer time in which to observe these men and to reclassify them before they were sent to Chino. The committee finds that this practice should be corrected as soon as possible.

The relationship between the classification committee, wardens, Board of Prison Directors and Board of Prison Terms and Paroles, is complicated and there are overlapping duties, responsibilities and lines of authority.

The Board of Prison Terms and Paroles is responsible for the fixing of the time that all prisoners serve. All members of this board testified that the work really required their full-time care. All members felt that they should have a closer relationship to the classification committees within the institutions. The board members also expressed the opinion that the classification work within the institutions should be done by the Board of Prison Terms and Paroles, with the help of the institutional department heads who now constitute the institutional classification committees. The Board of Prison Terms and Paroles gets little assistance from the various classification committees with the exception of their final recommendations. The Board of Prison Terms and Paroles uses the narratives prepared in the prisons by inmate help. All board members felt this was most undesirable. The Board of Prison Terms and Paroles fixes the sentence, but the Board of Prison Directors, upon recommendation of the warden, can, and does, grant extra-meritorious and statutory credits which reduce the length of time that the prisoner spends in the institution. (See Reporter's Transcript, Page 827.) Thus, the Board of Prison Terms and Paroles, while legally responsible for the release of prisoners, actually, in many cases, does not control the release date. This board receives all the blame where parolees commit further offenses. This board may prescribe conditions under which a man may be paroled but it has nothing to do with the employment of parole officers, and no power to see that a proper parole program is carried out.

On sex cases this board must receive and consider a psychiatric report before granting parole. The board must depend on the psychiatric service furnished by psychiatrists employed by the Board of Prisoners Directors. At Folsom where many of the worst sex offenders are imprisoned, there is no resident psychiatrist. Members of the board expressed the opinion that they should have some psychiatric help of their own to supplement the psychiatric service given by the present psychiatric staff.

The committee finds that there is a definite need for a full-time Board of Prison Terms and Paroles which can supervise the classification work within the prisons, fix terms, prescribe conditions of parole, and supervise the activities of the parole officers. It would seem more logical to have the wardens recommend extra-meritorious credits to the Board of Prison Terms and Paroles, rather than to the Board of Prison Directors. The Board of Prison Terms and Paroles has the power to revoke paroles, but only has the power to recommend to the Board of Prison Directors that credits be taken away from parole violators. It would appear that the board responsible for parole should have the final say as to whether or not credits should be taken away from parole violators. The committee was informed that the recommendations of the Board of Prison Terms and Paroles relative to the revocation of credits in many cases is not followed.

SEGREGATION

In both San Quentin and Folsom, there are a number of men who come within the psychopathic, psychotic and sexual psychopath classifications. At the present time at San Quentin it is possible to place only one man in a cell. This is a highly desirable practice which will be impossible to continue if the population materially increases. There are no facilities for proper segregation of psychopathic or psychotic or serious sex cases. Either a special psychiatric unit should be built on the grounds at San Quentin or provision should be made for a separate institution to care for this type of offender. The present practice is to send many of the worst sex offenders to Folsom Penitentiary. Folsom has no special hospital facilities and, as a matter of fact, has less psychiatric service than has San Quentin. The serious mental cases, the psychopathic cases and the serious sex offenders at Folsom should also be removed and kept in a maximum security psychiatric unit where they can be completely separated from other inmates.

INDUSTRIES AND EMPLOYMENT

The problem of employment within the penal institutions is ever present but it is being partially met, particularly in San Quentin, by assignment to the prisons of work for the Army and Navy, prompted by military needs. At San Quentin the committee was impressed by the scope of these war industries, the efficiency displayed, and the spirit under which the inmates labored to do their part in the National effort. At Chino, also, war industry is being efficiently conducted; at Folsom, in a lesser degree, contribution is being made. The committee commends this spirit both on the part of the authorities and the inmates. Statistics relating to these war industries too lengthy to be quoted here, are revealed in the transcript.

However, the committee is cognizant of the fact that with the end of the war and conclusion of the present contracts, a large sector of the inmate population within the prisons, particularly at Folsom, will relapse into idleness except for the trivial and unconstructive tasks of prison maintenance which call for only part time for a majority of the inmates. The committee holds, with all students of this problem, that idleness is a most destructive factor within the penitentiaries and tends to wreck discipline and efforts to promote rehabilitation. At San Quentin and Chino where industrial progress has been made and is being developed, the problem is not as acute as at Folsom. At Folsom, where once a large number of inmates were employed in rock quarrying, now practically nonexistent because of evolution in building requirements, the idleness is appalling. The proposal to remove the jute mill from San Quentin to Folsom, apparently favored by some members of the Board of Prison Directors, does not appeal to the committee for a number of reasons not necessary to enumerate here. The committee recommends a complete study of this proposal before definite steps are taken to effect this most important prison change.

The committee recommends, as soon as conditions make it possible, a program of industrial development within the penal and correctional institutions of the State, and the construction of necessary buildings with proper equipment be undertaken, following a comprehensive study by competent authorities.

EDUCATION

Academic and vocational education within the penal institutions appears to the committee to have not reached that point of development to be desired. Nevertheless, there is evidence that a certain proportion of the inmates respond to efforts to promote their academic education, with a larger proportion interested in vocational pursuits. The libraries, on the whole, are antiquated with many volumes out of date. Vocational teachers seem to be competent. The committee believes that in some respects the quality of the academic instruction could be improved. Efforts should be made to secure the services of instructors of high quality by making the positions better paid and permanent. It should be recognized that the problem of academic schooling in the institutions for the custody of adults differs materially from that of the correctional schools.

RELIGION

All of the institutions, both penal and correctional, have chaplains and the inmates are given opportunity for religious observance in accordance with their own particular faiths. It was not pleasing to the committee, however, to receive evidence that in some instances there was rivalry as between representatives of sects and some evidence of

discord verging upon intolerance. At San Quentin there is open dissention between chaplains and the psychiatrist and bandying of charges which the committee was unable to clarify, yet which should not be indulged in by persons upon whom are imposed high spiritual and moral duties. There was evidence, too, that at least one member of the Board of Prison Directors indulged in petty meddling in religious and educational affairs.

SANITATION AND HEALTH

The committee after a close inspection of Folsom found that the prison, generally speaking, was not clean. There did not seem to be any routine leading to cleanliness and elimination of rubbish and discarded articles. The corridors were untidy and many of the cells dirty and cluttered with superfluous articles of no value. The hospital, particularly the tuberculosis ward, was not clean. There exists no excuse for these conditions for there is ample inmate help, if properly directed, to keep all parts of the institution in a clean and sanitary condition.

At San Quentin the committee found the conditions much better. The hospital, as far as cleanliness is concerned, is satisfactory. Upon inspection, however, the committee is of the opinion that sanitary conditions in cell blocks 1 and 2 are not as they should be. Some reconstruction is needed, but conditions as they are could be improved.

At Chino minor matters of cleanliness need attention, but in major matters of cleanliness and sanitation conditions are satisfactory. Scrupulous attention is paid to cleanliness at the California Institution for Women. The matter of cleanliness and sanitation at the several correctional schools is referred to in other paragraphs in this report which pertain to these schools.

In all the prisons and schools there is at present a lamentable lack of medical and nursing personnel brought about largely by war conditions coupled by reluctance on the part of professionals to accept positions with limited ranges of pay and lack of permanence.

RACIAL DISCRIMINATION

Racial segregation is practiced at Folsom and San Quentin to the extent that negroes are separately celled and assigned block seating at the mess. In some instances they are also segregated as to job assignments. Inmates of Mexican descent are not segregated. Orientals are so few that they are merged in the mass although they tend to associate together. At the Institution for Women the negroes have their own cottage equipped with sleeping and mess accommodations. They are assigned to work in accordance with need and capability without segregation.

At Chino there is no segregation and the committee found that no unpleasant situations arose thereunder.

The committee recommends that segregation in all the penal institutions be discouraged insofar as race or color is concerned under a sane and careful plan of merging which will tend to reduce to a minimum distinctions which under American theories of personal rights and equalities should not exist. The experience at Chino is concrete evidence that racial segregation is not necessary in the maintenance of order and discipline.

CAMPS

The subject of camps and particularly harvest camps was treated extensively in the preliminary report relating to Folsom Prison. It was the loose operation of the Straloch Harvest Camp which drew the attention of the Governor and the public to the condition of penal affairs in the State of California. A convict by the name of Lloyd Sampson left the Straloch Harvest Camp and went to visit a friend in San Francisco. Local officials were requested to pick up the man at a San Francisco apartment. They contacted the Attorney General's office and an investigation of the affair was made. When the Attorney General reported his findings to the Governor, this committee was formulated and began its investigation.

The Board of Prison Directors over a long period of time have successfully operated road camps on a contractual basis with the State Department of Public Works. Escapes from these camps have been at a minimum and certain rules and regulations understood by both departments made the operation very successful.

Of more recent date, the Board of Prison Directors has operated forestry camps in the mountainous areas of the State for the purpose of preventing and fighting forest fires and working on blister rust control.

When the manpower shortage in the State of California became acute, particularly in relation to the harvesting of crops, the prison system was importuned to set up harvest camps and to place prisoners in them for the purpose of assisting the ranchers. At first, no statutory authority existed for the removal of prisoners from the prisons for this purpose. As a consequence, the Board of Prison Terms and Paroles analyzed the convict population and placed the prisoners who were eligible and of a minimum security risk on conditional parole and in this manner the harvest camps were operated during the calendar year 1942.

At the 1943 Session of the Legislature, statutory authority was passed which authorized the wardens of the various prisons to place convicts for a limited period of time in harvest camps. Under this authority, the heads of the various prisons set up, in cooperation with ranchers, harvest camps.

Over a period of years the convicts had been classified as to the type of security under which they should be held in custody; the medium security prisoners being assigned to San Quentin, the minimum to Chino and the maximum to Folsom. Yet, the statutory authority for operation of the harvest camps made no differentiation between the prisons as to the type of operation of the harvest camps.

The Board of Prison Directors did not set up a uniform system or uniform policies in camp administration and this committee found that in general there was a lack of adequate supervision and guarding in the camps; that guards placed in the harvest camps out of Folsom Prison were paid double pay since they remained on the State pay roll as well as receiving a similar pay from the ranchers; that the guards were thus working under a dual authority—that of the prison and ranchers; that there was great inequality in the amounts of money paid to the convicts ranging from \$15 a month to over \$400; that the camp inspector who was under the Board of Prison Directors apparently was never given adequate instructions with reference to his duties or responsibilities; that some of the harvest camps were situated without regard to serviceability to the community but rather to an individual rancher and that little regard was given to the safekeeping of the convicts and the protection of the community.

The committee finds that proper consideration has not been given to the classification of prisoners who have been released for harvest camp work. To illustrate:

At the STRALOCH FARM HARVEST CAMP at Davis, there were four prisoners released to that camp whose sentences had not been fixed by the Board of Prison Terms and Paroles; another prisoner with an offense of first degree robbery had not received a parole date and was not dischargeable until 1947; another prisoner serving life sentence for first degree murder had neither a parole or discharge date set.

At the WHITNEY WARREN RANCH CAMP at Wheatland, one prisoner had been placed in the camp who was serving a 30-year sentence for first degree robbery and assault with a deadly weapon who had no parole date fixed and whose discharge date was not until 1955; another prisoner was serving 20 years for sex offenses under Sections 288 and 288-a of the Penal Code, and had no parole date set and was not dischargeable until 1950; another prisoner in this camp was serving a 20-year sentence for a sex crime under Section 288 of the Penal Code and had no parole date set and was not dischargeable until 1951; there were also six other prisoners in this camp whose terms had not yet been fixed.

At the STOCKTON WORK CAMP, there was one prisoner who was serving a 20-year sentence for a first degree robbery charge and whose parole date had not been set and who was not dischargeable until 1948. Also in this camp, there were three other prisoners whose terms had not yet been fixed.

At the Straloch Harvest Camp, the committee found that the guards were incapable and negligent and had little control over the convicts; that drinking and gambling was prevalent; that the convicts overran the community imposing upon neighbors, using telephones and receiving mail at neighboring farms; that one convict had left the camp 45 times in a period of 2½ months; that no camp limits had been posted or were understood by either the guards or the convicts; that the convicts had been permitted to drive automotive vehicles on public highways and that convicts had traveled as far as Davis and Sacramento on many occasions.

The committee believes that the camp mismanagement is an example of the inefficiency of a nonpaid administrative board. The task of establishing harvest camps, which was imposed upon the Board of Prison Directors, was complicated and diffi-

cult. The camps could only be successfully operated by the consistent application of the best principles of management.

The board, in meeting once each month, could not hope to cope with the problem which changed from day to day. The committee also believes that the harvest camp system should not be abandoned because of a lack of competent supervision and administration but that a well-planned, competently staffed and organized system, under a single camp warden or administrator, should be set up.

PAROLES

The Bureau of Paroles is located in the Ferry Building in San Francisco. Branch offices are maintained at Santa Barbara, San Diego, Fresno, Oakland, Santa Rosa, Los Angeles and Sacramento. The parole officers are under civil service and are appointed by the Board of Prison Directors. The Board of Prison Directors is the supervising agency, although the work of the Bureau of Paroles consists of supervising men released by the Board of Prison Terms and Paroles.

The committee finds that this inconsistency causes confusion and conflict of responsibilities. For administrative purposes, the State is divided into districts. At the present time there are 581 men on parole in the San Francisco district, 466 in the Oakland district, 121 in Santa Barbara, 79 in Santa Rosa, 287 in Sacramento, 155 in Fresno, 90 in San Diego, 1,122 in Los Angeles. The parole officers, at the present time, are carrying an average case load of 126 parolees. The committee finds that this case load is too heavy for proper and adequate parole supervision. There is an evident need for more parole officers, for an in-service training program, for a manual of instructions on parole work, for a preparole program in the prisons, and for more participation by the parole officers in the classification and release procedures within the prisons. Convicts are released on parole by the Board of Prison Terms and Paroles and since that board fixes the conditions under which the men are paroled, it would appear logical to transfer administrative responsibility over the Bureau of Paroles from the Board of Prison Directors to the Board of Prison Terms and Paroles.

It is noted that the "Ticket of Leave" regulations, does not prohibit parolees working in an establishment where liquor is sold. Parole officers interviewed believed that liquor was the greatest single contributing factor leading to the commission of parole violations, and that it was inadvisable to permit parolees to work in such establishments. Records indicate that there are eight parolees working as bartenders and approximately 60 parolees working in and about taverns in other capacities. Permitting parolees to engage in this type of employment is questionable and the practice should be thoroughly investigated.

CORRECTIONAL SCHOOLS

The committee found that the correctional schools were reasonably well organized and administered. At all three schools the primary need was for additional trained personnel. The percentage of staff turnover has been very high and it has been practically impossible to recruit properly trained persons to replace the trained men and women who have left the State service. None of the correctional schools have adequate staff quarters. The salary paid the group supervisors is \$130 plus the wartime \$25 increase. Well-educated persons with a background of experience in child care, can not be recruited for this salary.

The committee finds that all of the schools are full to capacity and all have long waiting lists from the county courts. Local judges, probation officers and law enforcement officials are impatient and critical because of the long delays which occur after commitment and before acceptance. The average age at both Whittier and Preston has dropped materially. There has also been an increase in the number of boys coming from minority groups. This has complicated the disciplinary problems. In all three of the schools the buildings were clean and well-kept. The maintenance work was reasonably well done, taking into consideration staff and material shortages.

At Ventura the receiving unit is too small to permit flexibility in intake. Additional hospital facilities are also badly needed. There is only a part-time doctor and there is no psychiatric or psychological service. The disciplinary unit is poorly arranged, lacks proper heating, lighting and sanitary facilities, and should be replaced or reconstructed as soon as possible. The laundry building is inadequate, poorly ventilated and lighted and although plans are under way to add to it, the present plans will only give temporary relief. A great deal of maintenance work needs to be done

at the institution and the sewer lines need to be completely overhauled and enlarged. Erosion control plans have been made and much work needs to be done.

At the Fred C. Nelles School the hospital is entirely too small and there is insufficient medical care. The disciplinary cottage is very poorly arranged and should be either completely rebuilt or abandoned at the earliest opportunity. At least one additional dormitory should be provided. The Nelles School is the only correctional institution conducting any type of in-service training program. In view of the staff turnover and the lack of experience of many of the new employees, an in-service training program should be inaugurated at both Ventura and Preston. Approximately 10 per cent of the boys and girls sent to the correctional schools fall in the psychopathic or defective delinquent classification. These cases should be transferred to a psychiatric hospital where they can be given the proper medical and psychiatric care.

The Youth Authority has recently opened a school for younger girls near Santa Rosa. This will give considerable relief to the Ventura School and will remove the younger girls from that institution. This should make it possible to improve the program for the older girls at Ventura and to set up a program which will be more beneficial to the younger girls at the new institution.

The Youth Authority has completed plans to open a 24-hour school for younger boys in the northern part of the State. When this is opened, it will relieve the pressure on the Nelles School and will also cut down transportation costs and give better service to the northern counties.

The Preston School of Industry has many boys who have long records and who have committed serious offenses. Many of them belong in a medium security institution from which they could not escape and where they could be given the training and psychiatric care they require.

The committee finds that since the schools came under the Youth Authority on August 4th, studies have been made in all of the institutions relative to personnel needs, recruitment problems, maintenance problems, education, discipline, and release procedures. With the help of the State Department of Education and the Personnel Board, the educational programs at all three institutions are being revised.

With a closer integration of the juvenile and adult program, it should be possible to remove the more difficult and older boys from Preston and make it into the type of training school it is supposed to be. If these older boys and the psychopathic, psychotic and bad sex cases could be removed from the institution, some of the undesirable rigidity in present disciplinary methods could be eliminated. It would also be possible to do a better job of eliminating sex immorality and to better control the assumption of the disciplinary powers by cadet officers.

CONCLUSION

This committee has perused every avenue of investigation with the sincere desire to honestly evaluate the penal and correctional systems of the State and to determine whether or not a readjustment and reorganization is necessary at this time.

From the voluminous testimony taken by the committee, including investigation reports made by legislative committees and committees appointed by the different governors of the State to investigate the prison system during the past few years, it is the unanimous opinion of the committee that a reorganization of the State's penal and correctional systems is not only expedient but absolutely necessary at this time.

The committee believes that a centralization of the different penal and correctional departments of the State would effectuate a sound business administration and save many thousands of dollars to the taxpayers of California.

The plan of reorganization should eliminate conflicting and overlapping functions of the different boards and officers which are now charged with the responsibilities of the operation of the State's penal and correctional systems.

The following are the conclusions of the Committee:

- 1.—The committee is firmly convinced that a centralization should be had of all of the penal and correctional functions of State Government. This centralization should be accomplished by drawing together into one departmental organization, the Youth Authority, the correctional schools and the adult prison system. Only by centralization may the State be assured of an economical and efficient handling of the entire problem. The custodial aspects, the techniques of classification, the fixing of term and parole are similar and the activities are functionally compatible and should be consolidated in one department and not separated between three independent departments as is the case at the present time.

2—The committee believes that the Board of Prison Terms and Paroles should be abolished. This board as presently established, is inherently in conflict with the Board of Prison Directors. In its stead, an Adult Authority should be established on a coordinate level with the Youth Authority as a body to fix terms, paroles, and establish classifications of security for all adult inmates of prisons;

3—The internal management of the prison system is in dire need of a competent reorganization from a business point of view particularly. The lines of authority, and the duties and responsibilities within the prisons are not clearly defined or in any semblance of order;

4—The present administrative organization in the Department of Penology as represented by a nonpaid Board of Prison Directors, meeting only once each month, is inadequate to manage and operate the prison system;

5—The committee believes all of the correctional functions should be under the jurisdiction of a single head executive, skilled and trained in modern penological practices, chosen because of his knowledge and experience in institutional management;

6—There exists at both Folsom and San Quentin, urgent needs in respect to adjustments in physical facilities for the proper operation and handling of the prisoners;

7—The employees of the prison system should be selected through some type of merit system based upon their background of experience and education for the type of work for which they are engaged. Specifications should be written for each class of jobs after a competent job analysis has been made. A career system should be established which would permit the promotion of employees within the entire system on the basis of merit;

8—The "con-boss" system should be eliminated. This, however, does not mean that the great reservoir of manpower of convict workers should be ignored but rather that competent free help should supervise the inmate workers without permitting any prisoner to assume authority over any other prisoner.

9—The committee believes that a general tightening-up of the discipline of both personnel and prisoners within the system should be effected. Visitations of large groups of people within prison walls should be permanently discontinued. Escapes in every instance should be investigated and corrective measures taken;

10—The custodial classification of prisoners by a classification committee is a forward step in penological practices; the system should be supervised by the Adult Authority suggested in a previous conclusion. The rules of conduct and liberty within the inmate population should be thoroughly coordinated with the degree of classification;

11—The committee is in accord with previous surveys that a high degree of idleness prevails throughout the prison system. In recent years, the development of war projects has somewhat relieved this situation. It is our conclusion that a program of useful work and employment should be established for the prisoners.

12—The educational facilities and program are inadequate. Too few prisoners participate in the vocational and academic opportunities offered. A stimulation of interest in this regard should be fostered.

13—The primary need in the program of religion within the prison system is for a chapel at San Quentin which might be devoted exclusively to religious purposes. It was gratifying to note that the State has provided a competent number of full-time chaplains;

14—A general cleaning up of the prisons from a sanitary viewpoint is needed. The checking and repairing of sanitary facilities should be taken care of immediately;

15—Racial discrimination was found to exist and is not condoned by this committee. Rules and regulations should be established which would preclude the possibility of this practice.

16—The camp system should be organized on a sound business basis which would fix responsibility for proper supervision and provide the greatest usefulness to the war effort;

17—The Bureau of Paroles has acted as a semiindependent agency from the prisons. It is our belief that the Bureau of Paroles should be responsible to the Adult Authority and work in close harmony with the prisoners in a preparole educational program ;

18—The correctional schools, as a part of the Youth Authority, could well come under the jurisdiction of the Director of Corrections from a custodial and business management point of view. The Youth Authority should develop those phases of its program which pertain to probation, prevention of juvenile delinquency, diagnosis and post parole care.

Respectfully submitted.

JULIAN H. ALCO, Chairman
Member of the Board of Prison Directors

CHARLES H. DEUEL, Senator
Member of the Legislature

BURDETTE J. DANIELS
Legislative Secretary to the Governor

PIERCE H. FAZEL
Analyst, Department of Finance

WALTER GORDON
Member of the Board of Prison Terms and Paroles

KARL HOLTON
Director of California Youth Authority

JOSEPH H. McCLELLAND
Chief Special Agent to Attorney General

APPENDIX

REPORT ON FOLSOM PRISON

Folsom Prison is located near Folsom in Sacramento County, California, 25 miles northeast of Sacramento and has for its primary purpose the incarceration of male prisoners who have previously served a term of imprisonment in any State or Federal penitentiary. It is classified as a maximum security penitentiary consisting of 1,900 acres, some of which is devoted to farming. Capital investment is \$2,909,739 as of June 30, 1943. There are three maximum security buildings containing cell blocks, an administration building, hospital, tailor and shoe shop, chapel, trades building, laundry, barber shop, dental office, educational building, library, print shop and commissary. Several portions of the prison are antiquated in nature.

A. ADMINISTRATION

1. Organization and Management

The Board of Prison Directors appoints the warden for a period of four years. The warden, being responsible for the operation of the institution, is only accountable to the Board of Prison Directors. Warden Clyde I. Plummer resigned as warden on December 10, 1943, and Mr. James Adam was appointed acting warden. Since that time Warden Adam has been replaced by Mr. Robert Heinze, who formerly held a position as parole advisor in San Quentin Prison.

The committee, as a result of its investigation, has found the lack of proper instruction and supervision over the free personnel is causing friction and lack of cooperation among the employees, as follows:

a) Lines of administrative authority are not adequately or clearly defined. As a result of this, the warden makes an assignment of an employee to a specific duty and gives instructions to such employee without first consulting with the employee's immediate superior or with a subordinate officer.

b) Employees are assigned to posts of duty without receiving written instruction defining the administrative policy to be followed in connection with the duties.

c) Apparent conflict of administrative authority exists between the warden and the captain of the guard.

d) Evidence has been adduced concerning manipulation of meritorious time credit awards to inmates.

e) Certain guards appearing before the committee stated that there was a lack of understanding as to their respective duties in connection with the administrative operation of the prison.

f) Reports filed with the committee show that contracts have been entered into by executive officers without furnishing the accounting office with required information or obtaining approval of the Director of Finance as required by law.

g) The committee finds that a gasoline station located on prison property was built by prison labor, using prison materials, for use of the members of the Officers' and Guards' Association.

2. Physical Operation

a) The capital investment of Folsom is segregated as follows:

Land	\$61,401 50
Improvements	2,377,323 05
Equipment	471,014 93

b) The records disclose that the net operating expenses for the last fiscal year amount to the sum of \$904,838.08.

c) The institutional per capita cost for the Ninety-fourth Fiscal Year was \$465.69.

d) Supplies have been purchased by department heads and officials before obtaining authorized purchase orders.

e) Employees' maintenance receivable accounts from December 1, 1939, to November 30, 1943, included \$4,992.70 covering meals served to guests without charge.

f) A physical inventory taken on December 15, 1943, disclosed shortages in livestock as follows:

Hog Ranch	shortage of 393
Chickens	shortage of 122
Turkeys	shortage of 11
Ducks	shortage of 94
Geese	shortage of 34
Goats	shortage of 2

Computation of the amount of this shortage in livestock inventories amounted to \$3,093.50.

g) A shortage of approximately 45 tons of coal used for heating purposes valued at \$495 was disclosed.

h) There is an apparent shortage of 446 shirts.

i) Approximately 4,000 No. 10 cans of carrots were spoiled during the 1943 canning operations in the cannery.

j) The prison quarry, located in what is commonly known as the "lower yard," was operated at a loss in the 1941-42 Fiscal Year.

k) During the 1941-42 Fiscal Year, Folsom Prison ranch activities were operated at a loss of approximately \$6,233.11.

l) Records disclose that the canteen operations are unsatisfactory and that control records are incomplete and not properly maintained.

m) An examination of the records maintained by the warden of receipts and disbursements of moneys received from the use of Larkin Hall for entertainment purposes for outside organizations revealed that \$4,198.05 was received during the period from March 29, 1941, to December 6, 1943. Of this amount, \$152 was deposited with the accounting office on November 2, 1943, for transmission to the State treasury. Expenses totaling \$1,837.36 were incurred for dinners and entertainments. In addition, disbursements totaling \$1,894.85 were made from these funds for various unauthorized expenditures, the majority of which were not supported by vouchers. As no funds were on hand as of November 6, 1943, the disposition of the balance of the receipts is not accounted for in the records. The disbursements made from the moneys received for the use of Larkin Hall do not constitute proper disbursements and can not be accepted as discharge of accountability. Hence, the sum of \$4,446.05, representing receipts for the use of Larkin Hall, is due the State treasury.

3. Classification Board

The personnel of the classification board at the present time consists of clerk of the Board of Prison Directors, captain of the guard, head of the educational and medical departments and the record clerk. Inmates classified are in the following categories: Maximum-close, Medium A, Medium B, Medium C, Minimum Restricted and Minimum.

Members of the classification board appeared before the committee and admitted that the method of classifying prisoners was inadequate and impractical for the following reasons:

a) Prior to July 1, 1943, prisoners were not personally interviewed. After July 1, 1943, the board was instructed to conduct interviews but this practice was later discontinued.

b) One member admitted that he did not have sufficient experience to appraise the prisoners for the purpose of classification.

c) Lack of attendance at classification board meetings by certain members.

d) The warden overruled the decision as to classification made by the board in a number of instances.

e) Direct results of the failure of this board to properly classify prisoners and to have its classification recognized and upheld is exemplified by the trouble and the deplorable conditions that existed in some of the prison camps. For example, at the Straloch Farms Camp near Davis several prisoners were released for work at the camp whose terms of sentence had not been fixed by the Board of Prison Terms and Paroles, and others whose minimum terms had not been served. This situation also

existed at the Bear River Camp, Wheatland, California, and Stockton Camp. Records revealed that some of the prisoners had life sentences to serve and many had at least five years of their sentences remaining.

B. GUARD LINE

From statements made by numerous guards, one of the principal causes of inefficiency and indifference among the guard line was the disrespect and disobedience of orders of guards by the prisoners. Prisoners would curse out guards and disobey instructions. Lack of regulations was evident everywhere within the prison walls and in the harvest camps. Guards are assigned to positions of importance and then left to use their own initiative as to the manner in which the duties were to be performed. The captain of the guard and others stated that on numerous occasions the warden would countermand their instructions without consulting them. Much testimony was received by the committee concerning the activities of con-bosses, who were permitted to do many things which gave them too much control of certain activities within the prison. One of the prisoners afforded these privileges stole a piece of fire equipment for the purpose of escaping and overturned it, resulting in approximately \$200 damage. Many prisoners holding many positions permitted trafficking in food, clothing, shoes and general commissary goods. These services were always accompanied by some sort of pay-off. The granting of unusual privileges to prisoners contributed greatly to the low morale of the guard line.

C. DISCIPLINE

1. The warden recommends to the board on his monthly report that certain prisoners be allowed extra credits for meritorious service. These credits are in addition to the credits a prisoner receives as prescribed by law and earned for good conduct. The committee finds that due to activities and privileges afforded certain prisoners these extra meritorious credits were in some instances obtained for a given consideration.

2. The limit of canteen purchases is \$10. Withdrawals by prisoners from trust accounts have frequently exceeded this amount creating dissatisfaction among the other prisoners.

3. Gambling in many forms is participated in by some of the prisoners, which has resulted in highjacking of commissary supplies and fighting.

4. As a part of the over-all prison system of classification, prisoners who practice sex perversion have been sent to Folsom Prison. For this reason, more of this type of prisoner is housed in Folsom than at any of the other California prisons. Diligence and alertness should have been exercised by the warden and guards in handling this problem. Locations existing in the prison where illicit sex practices were indulged in. The Board of Prison Directors ordered that all prisoners be housed in single cells. This order was not carried out in its entirety. The warden's lax attitude in the handling of this serious situation was testified to by many guards. Sex perversion has been the cause of many fights and stabbings within the prison.

5. Several prison officials, guards and prisoners protested concerning the power and influence exerted by certain prisoners upon whom the warden depended for secretarial assistance.

6. The schism in the guard line, as indicated heretofore, made it difficult to maintain proper discipline. This situation developed by virtue of a breach between the warden and the captain of the guard.

D. EMPLOYMENT

The idleness at Folsom Prison has been costly to the morale of the prisoners. An average employment was considered less than four hours per day. A comprehensive work program does not exist. The working conditions in the tailor and shoe shops are very undesirable. The ventilation and lighting are very poor, and supervision by the officers of the prisoners and materials is most inadequate. Guards admit their inability to prevent contraband materials being removed from the shops. A practice exists in the laundry by which prisoners are allowed to collect laundry and do handwork for other inmates in order to make extra money. Betting forms have been printed in the print shop.

E. RACIAL DISCRIMINATION

The committee found that there existed at Folsom Prison a segregation of negroes as to their celling and mess hall seating.

F. HARVEST CAMPS

The system of harvest camps has operated as authorized by the 1941 Session of the Legislature. Large numbers of prisoners have profited, both financially and from a rehabilitation standpoint, by their participation in the program. Likewise, many ranchers have been aided materially and the war effort has been enhanced by the application of manpower to many divergent enterprises.

The following conditions were found to exist at the Straloch Farms Harvest Camp near Davis, California :

1. No definite instructions were given the supervising guards in charge by the Warden.
2. Definite camp limitations were not properly posted or established. Some prisoners frequently roamed in the vicinity of the camp imposing upon neighbors in the community, frequenting beer parlors and restaurants, and trading and selling prison commissary supplies.
3. Drinking and gambling in the camp was reported, and in violation of the rules and regulations prisoners associated with women, both inside and outside the camp.
4. Several prisoners left the camp without guard and stayed away as long as 16 hours without being reported or returned to the prison. One prisoner visited San Francisco and another testified that during the period of 2½ months he absented himself from the camp about 45 times.
5. Some prisoners received and sent uncensored mail and used a telephone at a neighboring ranch contrary to rules.
6. The guards at the camp were inefficient and incompetent and the camp was grossly mismanaged.

The following practices were noted at the Bear River Camp at Wheatland :

1. Prisoners drove trucks on the public highways to and from work on adjacent farms contrary to rules.
2. There were instances of prisoners leaving the camp and purchasing beer at a nearby tavern.

G. HOSPITAL

The committee noted that the following conditions existed in connection with the Folsom Prison hospital which are in dire need of correction :

1. The full time physician is not resident on the property at all times.
2. The preparation of special diets for patients is under the jurisdiction of an inmate chef.
3. The chief inmate nurse, who is in charge of the hospital at times when no physician is present, has had several narcotic charges against him and has dispensed narcotics to inmates during the doctor's absence.
4. In the tubercular ward patients facing the windows are subjected to bright sunshine with no window shades for protection.
5. Our inspection showed that the hospital was not clean.
6. There is no resident psychiatrist.

CONCLUSION

The above is a condensation of a report previously rendered to the Governor on December 14, 1943.

REPORT ON SAN QUENTIN PRISON

The original site of San Quentin Prison, comprising 20 acres, was purchased July 7, 1852, at a cost of \$10,000.

There are now approximately 600 acres of land at San Quentin Prison, including hills and water lots. There are 65 acres within the walled area.

LAND AND IMPROVEMENTS

The investment of the State in San Quentin as of June 30, 1943, was

Land	\$163,967 00
Improvements	2,891,178 68
Equipment	710,236 93

making a total investment of \$3,765,382 61

San Quentin ranch is small but very compact. Every inch of ground is utilized, including the small space for alfalfa, gardens, and the billed area occupied by buildings for the chicken ranch, dairy, and the small space allotted to hogs. There are approximately 40 acres in use.

HOUSING CAPACITY

Capacity for single ceiling-----	2729	(exclusive of solitary and dormitories in Old Prison)
Capacity for single ceiling-----	2839	(including Old Prison dormitories)
Capacity for double ceiling-----	5062	(exclusive of single cells in Old Prison which will not accommodate two men, and Solitary, and dormitories in Old Prison)
Grand capacity total including all	5446	men—Double
Grand capacity total including all	2915	men—Single

Each cell block is composed of 5 tiers

OLD PRISON is composed of 3 tiers

GENERAL ADMINISTRATION

The general administration of the institution is not satisfactory. There are a large number of departments, many of them reporting directly to the warden. Recently, the Board of Prison Directors transferred the accounting function to the clerk. This action divested the warden of this very essential tool in the administration of the prison. The clerk is responsible to the State Board of Prison Directors and not to the warden. Some witnesses testified that they had the responsibility for the execution of certain phases of operations without authority over their immediate subordinates, the subordinates reporting directly to the warden.

The Board of Prison Directors employ the warden and the clerk to the State Board of Prison Directors. It is, therefore, the warden's responsibility to appoint all of the other employees in the institution and the committee has found certain weaknesses in Warden Duffy's appointees. The committee finds a need for a complete survey and analysis of key positions such as the captain of the yard, captain of the guard, accountant, religious director, steward, and other major departments be made, and recommends that substantial understudies for these key positions be selected in order to enable officers to develop into a fitness for their assignments and thereby create a continuity of procedure that will avoid a breakdown of good routine.

The former practice of staff conferences and meetings of groups of employees has been discontinued. The advisability of a resumption of this very effective method of obtaining coordination between the departments and cooperation of all of the employees is self-evident.

The captain of the yard is a deputy warden and theoretically has charge of the captain of the guard as well as the guards who work in the yard. The committee finds that the guards working on the towers and walls do not cooperate with the guards working in the yard to the extent that they should.

CONFIDENTIAL RECORDS

It was noted that prisoners participated in the preparation of prisoner narratives and other confidential records. One of the dangers found by the committee in making

it possible for prisoners to have access to these records, is that it invites trafficking with information and subjects certain inmates to intimidation by other inmates. There is also the danger of having the records altered. The Federal Prison System does not permit the using of prisoners on this type of work. It is believed that only free employees should engage in prisoner record keeping, including the handling of inmate trust accounts.

RELIGION

There are no adequate facilities to hold religious services or suitable space for visiting chaplains to hold interviews. About \$60,000 was appropriated for a new religious chapel but due to war priorities, construction was postponed. The committee was advised that plans have been prepared that will materially increase the housing facilities and offer better seating capacity for a nominal expenditure of around \$3,000.

There are three paid chaplains; the Protestant Chaplain, devoting full time; the Catholic Chaplain, devoting full time; and the Jewish Chaplain, devoting part-time. There is a lack of cordial relationship between the Protestant and Catholic groups and steps should be taken to overcome this schism.

San Quentin's close proximity to San Francisco makes it possible for many religious denominations to regularly hold services at the prison but time and space on Saturdays and Sundays are not sufficient to satisfy the needs of the visiting chaplains.

Dr. McKericher, the Protestant Chaplain, Dr. Earl W. Smith, member of the Board of Prison Directors, and the psychiatrist, Dr. David Schmidt, are manifesting considerable discord and in a measure challenging the successful utility of their respective departments and definite steps should be taken to iron out this unsatisfactory situation.

ESCAPES

On December 26, 1943, four prisoners escaped from San Quentin. A special report was made to Governor Warren on December 31st covering the results of a special investigation made by this committee. The report described the modus operandi used by the escapees who fashioned a 40-foot rope and metal hook, made their way through a ditch opened to replace a steam line through holes made in the walls and over the outer wall. Briefly, the conditions which made the escape possible and the points at which the escape should have been prevented were described in this report. The findings of the report are summarized as follows:

- (1) That the prisoners classified as "close" or "maximum" should not be given access to the yard before daylight;
- (2) That there was laxness on the part of the prison engineer in failing to report the opening of the wall in connection with the laying of the steam pipes;
- (3) That there was a culpable negligence and dereliction of duty on the part of certain employees;
- (4) That a better system for checking of inmates into various departments of employment or attending educational or religious services should be adopted.

The warden of San Quentin suspended six employees as a result of his investigation of the incident. Following the recapture of the prisoners, after commission of many robberies and holdups, the employees were reinstated and returned to their duties.

DISCIPLINE

Some of the guard line testified that prisoners are coddled too much. The committee believes that Warden Duffy has a great humane attitude and is in rather close touch with the convict population. He maintains a long interview line but discipline could be tightened in a more general way through the guard line and better segregation and classification of prisoners.

One of the weaknesses in prison discipline is a lack of consistent searching of cells. Instead of the guards in charge of individual cells occasionally searching, a crew of three or five guards should be assigned to this important activity. Testimony also developed that the prisoners were not searched and that even if the cells were searched, the prisoners could be carriers for any kind of contraband. The industrialization of San Quentin Prison necessitates a number of machine shops and as a result of this activity, contraband knives and weapons can be made and secreted for dangerous use. The committee's investigation of the Federal prison at Alcatraz enabled us to see the demonstration of a detector of metals through a light beam; also, a device that made it possible to detect metals hidden in mattresses, blankets and

other apparel. It is recommended that some such device be installed in the State penitentiaries.

For several years there has been a practice at San Quentin Prison to broadcast a program that has certain merit in the matter of public relations, but the former practice of permitting large groups of civilians, numbering up to 600, to come into the prison auditorium to attend the broadcasts without being searched, offers opportunity for contraband in the way of pistols, money and knives to be brought into the prison and this practice of large groups of people coming into the prison should be discontinued permanently.

CLASSIFICATION

The distribution of inmates to positions in the prison or their being sent or withheld from certain assignments such as road camps, harvestry and forestry camps, and the determination of their being classified for Folsom or Chino, very largely rests in the hands of the classification committee. Next to the Terms and Paroles Board, this committee functions in a vital activity, and the committee findings developed the fact that outside of the chairman of the classification committee, the other members are active in other full time positions. The committee consists of the following: chairman, psychiatrist, warden's secretary, supervisor of education and the chaplain. The classification includes maximum, close, medium and minimum security risks. The committee was advised that the meaning of these classifications and the proportionate weight of factors are as follows:

Maximum: **Crime:** Repeated offender, either recidivist or parole violator.
Supervision: Direct supervision at all times. Never outside walls. No late lock-ups.
Transfer: Eligible for Folsom.
Rehabilitation: Doubtful.
Social factors: Negative.

Close: **Crime:** Indicates sex offenses, confirmed. Long termists, drug addicts, long delinquency history, holds on file, deportable aliens, escapes, poor prior institutional adjustment; unstable or certain neuropsychiatric disorders.
Supervision: General inside the walls, no late lock-ups. No school privileges.
Job: Inside the wall.
Rehabilitation: Questionable.
Social factors: Migratory, poor employment record. No family ties. Mental defective.

Medium: **Crime:** Includes any offense. First offender. Recidivist or parole violator.
Supervision: In or outside of walls with general supervision of guard. Late lock-ups. Evening school privileges. No major guarding problem.
Job: Any day job inside the gun line.
Rehabilitation: Questionable or favorable.
Social: Balanced employment record, family ties, residence stability, intelligence.

Minimum: **Crime:** Equals any offense, generally moderate. First offender with prior reformatory record at most.
Supervision: Trusted anywhere without direct supervision of guard; eligible for sleep-outs; late lock-ups. Evening school privileges.
Job: Any throughout institution, including ranch, roads, forestry, harvestry, Chino.
Rehabilitation: Favorable.
Social: Favorable employment record; family ties; residence stability, intelligence.

It is evident from the above classification requirements that much thought, time and personal supervision should be devoted to this activity. Within a short time after the inmate is received in the institution, he appears before the classification committee. His reclassification following the initial classification is after six months have elapsed.

The committee has found large groups of inmates assigned to the California Institution for Men at Chino who have only been in San Quentin for periods ranging from one to three months, and have only received their initial classification. The majority of members on the classification committee at San Quentin do not personally interview the inmates on their reclassifications.

EMPLOYMENT

The average number of hours that prisoners work in San Quentin is 5½ hours. The industrial program is very ambitious. It includes Army and Navy contracts, the processing of tobacco, twine, cargo nets, cargo slings, submarine nets, furniture, landing boats, laundry work, salvaging, mess trays, bearings, sirens, reconditioning mine buoys and many other articles of a value of over a million dollars.

CAMPS

There are now five harvest camps; one at Grand Island, near Stockton; one at Knightston; one at Gridley; one at Ryde; and one at Wheatland. One other camp at Yuba City has been closed.

Until the weather made operation impossible, there were four forestry camps operated through the United States Forestry Service. These camps are now closed.

There are two highway camps, one located at Burnt Ranch in Trinity County and the other at Escondido in San Diego County.

There are now 217 men assigned to the harvest camps and 119 men assigned to the highway camps.

Transfers of San Quentin inmates to prison camps from July 1, 1942, to July 30, 1943, are as follows:

Road camps 455, harvest camps 493, forestry camps 495, total 1,443.

There are two prison road camps operating under the jurisdiction of the Department of Public Works; one in the northern part of the State and the other in San Diego County. The earnings in these camps have materially increased since the last Legislature raised the gross pay from \$2.50 to \$3 per day. The forestry camps have enabled the prisoners to earn around 50 cents per day.

Harvesting camps are still in operation. The distribution of labor in these camps should be worked out on an equitable basis so that one farmer does not have an advantage over another.

The fact that men at the harvesting camps can earn as high as \$400 a month, whereas the men in the forestry camps can net only 50 cents a day, requires more equitable adjustment of such earnings.

ACCOUNTING

Books and records of accounts were in arrears. Statements of the financial condition of the prison are transmitted by the accountant, through the warden, to the Department of Finance. The accountant stated that little cooperation was given to him in the matter of budgetary control and that expenditures were made without adequate consideration being given to the appropriations available.

SCHOOLS

Elementary, high school and college courses are taught. Following is a breakdown of the teaching staff:

Outside instructors	26
Inmate instructors and assistants.....	12
Inmate readers for correspondence courses.....	12
Total teaching staff	50

Most all classes are held at night. Total enrollment is 1,490 and includes:

University Extension Courses.....	362
Local Correspondence Courses.....	289
Academic and Vocational Classes.....	591
War Classes	136
Hobby Shop Crafts.....	112

1,490

Standard tests, educational counseling, including vocational interview and achievement tests, cover all school subjects.

NEW EMPLOYEES

The committee found that no in-service training program was provided for new employees. The war activity has caused a turnover of over 60 per cent. Employees are recruited through channels of advertising in the newspapers, and are not subject to civil service.

PRISONERS' MERIT SYSTEM

The merit system includes additional statutory credits provided by law; also, extra meritorious credits may be granted on recommendation of the warden, approved by the Board of Prison Directors. Great care should be used in the merit system of credits because if abused, it would usurp the work of the Prison Terms and Paroles Board. All job assignments are made through the classification committee.

INFRACTIONS OF RULES AND REGULATIONS

For minor infractions of rules, the captain of the yard may discipline in the form of depriving inmates of certain privileges, but for more important punishment is referred to the warden who may recommend to the Board of Prison Directors that certain credits be taken from him or that he might be sent to Folsom Prison.

PRISONERS' RULES AND REGULATIONS

The rules and regulations are posted in every cell. The committee finds, however, that this practice is not followed in the prison camps. Also, there are no written instructions furnished the guards. Recommendations proposed by the Board of Prison Directors should be carefully carried out such as posting camp notices, etc., notifying visitors that bringing narcotics or firearms within the camp limits is a penal offense.

DEGENERACY

Due to the reduced population, San Quentin Prison is able to house all inmates in single cells. This program helps to reduce degeneracy in the prison. However, lack of supervision in the various shops and departments is not conducive to the proper control of this problem. There is an attempt to segregate degenerate prisoners and at present facilities are provided where these prisoners can be placed in a screened enclosure. If an inmate continues in this practice, he is sent to Folsom Prison.

INMATE AUTHORITY

The committee finds there is supervision over prisoners by other prisoners in relation to the work in the prison. This does not always indicate con-boss rule, but this practice has a demoralizing effect upon the prison population generally. This practice has also affected the morale of the free personnel in the prison, in that proper control and discipline in certain instances can not be maintained.

HOSPITAL

In 1935 the building formerly housing the "Women's Prison" was converted to hospital uses. The top floor or fourth story comprises the tubercular ward with a bed capacity of 55; third floor, clinical laboratory; second floor, medical and surgical wards, each with 22 separate rooms, also, laboratory and operating rooms; first floor, office of surgeon, chief psychiatrist, clerical, doctor's library, dining room, pharmacy and shops.

The surgical staff consists of:

- Dr. Alexander Miller, Chief Surgeon
- Dr. Akers
- Dr. Frank Missner, Visiting Oculist
- Dr. David Schmidt, Chief Psychiatrist

A physician is constantly in charge 24 hours a day at San Quentin Prison. There is also an outstanding consultant staff of free doctors.

CONTRIBUTION TO WAR EFFORT

One hundred thirty-five thousand dollars worth of war bonds and war savings stamps have been purchased. Prisoners serviced 8,000,000 war ration books for the OPA.

JUTE MILL

The work in the jute mill in the past has been beneficial for many reasons. Formerly all prisoners were assigned to the jute mill for a period of not less than six months. This activity forced them to demonstrate work, to do a certain task, to take orders, to cooperate and to be obedient. Over the period of many years, the jute mill work has not proven injurious to health. At the present time the mill is operating only part time.

COMMISSARY AND CANTEEN

There is a \$10 limitation set by the Board of Prison Directors for the purchase of regular commissary supplies and in many instances this results in discrimination. A great many prisoners are not in a position to purchase these supplies and, therefore, try to obtain them by surreptitious means.

COST

The institutional per capita cost for the Ninety fourth Fiscal Year was \$424.67. The operating expenses for the same period were \$1,323,266.66.

CONCLUSION

The salient points noted in reference to San Quentin are that there is a need for a general tightening up program—a general overhauling of the administration of the prison, the building up of a substantial organization in the form of officials and understudies, and, if possible, a definite training of guard line and personnel.

CALIFORNIA INSTITUTION FOR MEN AT CHINO

The California Institution for Men is located near Chino, California. It was designed to provide facilities to make possible a new type of institution for the minimum custody of male offenders, who, in the belief of the State Board of Prison Directors, seemed capable of moral and civil rehabilitation, and their restoration to society.

The institution is located near Chino, San Bernardino County, on a site consisting of 2,566 acres. Upon this property the present buildings are located and farming activities conducted. The motive and spirit prompting the establishment of the California Institution for Men was encompassed in the belief and hope that those selected to enter the institution might be forwarded upon a career of usefulness and restoration in contrast to the usual fate of those who serve a term and then are projected into civil life without preparatory training and without being brought to a full realization of the advantages of being again accepted by society as a whole.

The committee recognizes the fact that the theory upon which the California Institution for Men was established, and is now being operated, is in a sense largely experimental, particularly, when contrasted with generally accepted standards for prison management. Nevertheless, the results so far achieved lead to the belief by the committee that for a considerable portion of the convict population which the State now has, and may acquire in the future, it provides not only an economic and social saving, but that the measure of success already attained justifies the further development of the ideal; and that no discouragement unreasonably founded should be advanced which would detract from an ultimate demonstration which shall make apparent the success or failure of this dealing with a sector of the convicted population within which there lies possibilities of complete or near-complete rehabilitation.

LAND, BUILDINGS AND EQUIPMENT

The 2,566 acres above referred to were purchased in June, 1938, at a cost of \$671,421.81. It is a level and fertile tract of land, previously planted largely to sugar beets. It is advantageously situated, so far as transportation facilities are

concerned. It is irrigated from wells and there seems to be no scarcity of water. There have been some impediments to profitable use of the land because of infestation in some portions by parasites, consequent to its long use for the growing of sugar beets.

Construction was started October 22, 1938, and buildings completed at a cost of \$2,733,621.74. The total investment in capital assets is now \$3,711,588.81. The first inmates were accepted on July 10, 1940. Up to January 1, 1944, the total number of inmates who had been and were housed in the institution numbered 1,474. The present structures contain some temporary buildings moved on to the ground because of emergency conditions. The west dormitory and south dormitory are permanent buildings, the north barracks and south barracks are the temporary buildings. The total capacity of these buildings is 400 occupants. There are a wire fence and watch towers around the institution. No gun guards have ever been employed, nor have the watch towers been used. The wire fence is in no sense a wall and can be scaled by those intent upon doing so.

The administration building is used for housing the administrative and executive officers. The approximate cost of the administration building was \$800,000, exclusive of furnishings. It is more ornate and expansive than is necessary. A more modest administration building could have been erected, ample for the needs of the institution, thus permitting a portion of the above costs to have been diverted to other construction. Within this administration building are the offices of the superintendent and department heads, a chapel, inmate library, night visiting room, and offices for other purposes. The rooms of the board of directors and their sleeping quarters are in the second and third stories of the building. All are beautifully, and perhaps extravagantly, furnished.

The south dormitory cost approximately \$350,000. It has a housing capacity of 156. Fifty-six rooms are individual, the balance in dormitory or ward form. The west dormitory cost approximately \$293,000; houses 132, all in individual rooms. This dormitory has two floors. The hospital cost approximately \$30,000, exclusive of equipment, and has a capacity of 22 beds. It is equipped with X-ray, diet kitchen, and dental facilities.

The laundry cost approximately \$233,000. It houses the laundry proper, clothing room, bathing quarters, and inmate barber shop. The kitchen and dining room cost approximately \$435,000. The dining room has a capacity of 1,500 men, which is beyond the present needs, therefore, a part of the dining room is used for a gymnasium and auditorium. The rear part of the kitchen is utilized for a cannery. The kitchen includes the bakery, which has all modern facilities and equipment.

The boiler house cost approximately \$233,000, including equipment. It has adequate facilities to care for the needs of the institution.

Other buildings consist of a work garage, shop buildings and garage, which including some frame buildings temporarily installed, cost approximately \$95,000.

The warehouse is inadequate. It is not large enough to take care of all supplies which results in some shop and garage supplies being sent directly to the shops rather than checked through the warehouse. The warehouse facilities should be increased and all supplies passed through the one unit for economical and safe practices.

A slaughterhouse capable of slaughtering 24 head of cattle per day, is adequate for present needs. Other buildings consist of cow barns, silos, piggery, milk house, horse barn, fencing, etc. The total cost of these is approximately \$75,000.

Other equipment includes the superintendent's house, five staff cottages, sewage disposal plant, reservoir, and irrigation wells. Also, several temporary shop buildings. The two temporary barracks house a total of 112 men. All these temporary buildings are unsubstantial and unsightly in comparison with the permanent building. In time the State should replace these temporary buildings with others of a permanent nature.

FARMING

The parcel of 2,566 acres of farm land was recently augmented by a lease of 2,000 acres additional, in the near vicinity. The activities on the farms which are under the direction of a trained farmer include dairy and beef herds, hogs, poultry, sheep, and rabbits. Inmates are used to man all the farming operations under the direction of the farmer and supervision of the supervisors and technical staff. The vegetables grown are used for institutional needs and the surplus is canned for use in off-seasons. Steers are slaughtered for institutional needs as well as to supply meat for four other State institutions. Slaughtering is done under Federal inspection. Most of the land owned or leased by the institution is highly adaptable to stock raising and a commendable effort is being made to improve the herds of dairy and beef cattle and swine.

THE SHOPS

Much of the shop or vocational training at the institution at present is devoted in furtherance of the war effort. Instruction in welding is taken advantage of by many inmates and the committee was informed that those leaving the institution after having been trained in the welding shops were immediately given employment in the ship building industry. The sorting of clothing for the Army and the redistribution of supplies from the near-by Army base contribute very materially to the work program. Instructions are given in garage and mechanical work to some extent, and in clothing and boot and shoe manufacturing. It is recommended by the committee that a further study be made by those in authority to an expansion of the vocational training activities at the institution. The committee has no criticism of the vocational training program as now conducted, but believes that with the cessation of the war activity and the possible abandonment of the forestry camps the increased population within the institution would necessitate a further expansion of the vocational training. While the farm requires the services of a large number of the inmates, yet there are many of them who could be given better opportunities when they return to society, if trained in some one of several trades and mechanical occupations.

INMATE COMPENSATION

While the law provides that the board may allow the prisoners a certain compensation above the cost of their maintenance, this policy has not yet been put into use at the institution proper. The war emergency has made it necessary to draw on inmate labor made vital by Government activities. Labor, allocated to forestry camps or work on Government activities outside the reservation, receives nominal compensation. It would appear that some plan of reasonable compensation to all of the inmates engaged in constructive work should be formulated.

EDUCATIONAL PROGRAM

In addition to the war production and mechanical training courses above referred to, the institution provides as well a range of academic courses. The entire educational program is provided for through a cooperative arrangement with the Chino Unified School District, and all teachers are certified by the State Board of Education. The committee was informed that many inmates are anxious to avail themselves of the academic courses on their own time and in addition to the tasks assigned them by the superintendent of the institution.

LAUNDRY

The laundry facilities are ample for the necessities of the institution, and have a capacity which permits the acceptance of some Army contract work.

HOSPITAL AND DENTAL OFFICES

The hospital is modern with accommodations for 22 beds, and is well equipped. Major operations are performed. Due to the war emergency a resident physician is not available, but the doctor in charge is less than three miles from the institution and is on call at all times. Tubercular and syphilitic patients are not transferred to this institution. The dental department is adequate to meet all needs.

There is no psychiatrist associated with the institution. A psychiatrist at San Quentin handles all those men who seem to need that treatment.

CAMPS

A contract is in effect with the United States Department of Agriculture, Division of Forestry, making it possible for inmates to go into the forest areas to prevent and fight forest fires. Meritorious service has been rendered the State in a similar capacity. Before inmates are moved to a location, camp sites, including houses, eating and sleeping facilities, are carefully investigated by the inspectors of the camp, who maintain periodical inspections. The inmates receive compensation, not to exceed an average of \$15 per month. There are approximately 50 men in each camp, with two supervisors and one relief supervisor for each camp. There is also a military camp which is a project of the United States Army.

RELIGION

A resident chaplain supervises religious activities. Different denominations and religious organizations have the use of the chapel, and visit the institution frequently.

SOCIAL WELFARE

The institution provides social service for all inmates. This work includes assisting men to secure aid for needy dependents, information regarding their economic and social well being, and other matters pertaining to their family, and in counsel to them as to social problems. Through this service the morale of the inmates is strengthened.

COMMISSARY

A commissary is maintained wherein inmates under the \$10 limitation fixed by the Board of Prison Directors may purchase personal commodities. It is also possible to obtain special commodities such as clothing, musical instruments, etc., through the clerk of the Board of Prison Directors.

JOB ASSIGNMENTS

All job assignments are made by the classification committee. All promotions are based upon a study of the inmates' work and conduct record, which information is submitted daily by the supervisor in charge. The men appreciate the war projects and very substantial purchases of war bonds have been made.

CLASSIFICATION COMMITTEE

The classification committee personnel is composed of departmental and line officers operating as advisory or staff units. The four regular members of the committee are chairman-manager of inmate welfare; institutional chaplain; director of education; and chief supervisor. This membership functionally represents the supervisory, social service, religious, and educational departments.

OPERATIONAL PROCEDURE

When a group of inmates is received on transfer from San Quentin they are employed as a unit under the direction of the same supervisor until they receive initial assignments from the classification committee. The second night following arrival inmates meet the committee and as a group receive certain advice and information with regard to the function of the committee and institutional procedure. The committee meets no less than once a week to consider applications for job changes and transfers. The men appear individually before the committee for the purpose of presenting and discussing their future institutional program in light of their release plans. The committee includes a direct analysis of the individual, background and environment, and a procedure whereby this information is utilized in helping to develop a well rounded program for rehabilitation. This information is available in a confidential central file.

SUPERVISORS

There are 61 supervisors, 48 of whom are used to supervise 456 inmates, and 13 to supervise 180 inmates at the camps. At present owing to difficulty in securing supervisors no initial training is given. There is quarterly rotation of line supervisors. There is no evidence of "con-bosses." Inmates acting in a supervisory capacity are assigned as such through the classification board.

SUPERVISION OF INMATES

Due to the physical lay-out of the ranch property and the present distribution of the supervisory staff, inmates outside the fence are not as closely supervised as they might be if the institution was adequately staffed.

COMMITMENT OF INMATES

No inmate is sent to the California Institution for Men at Chino directly from the courts. The courts use San Quentin as a general clearinghouse for all male felons.

NEW EMPLOYEES

The method of recruiting new employees through civil service is not in practice here. However, the employees are included in the State Retirement Act. Preliminary interviews are held by the individual department head, who in turn makes recommendations to the superintendent. The latter makes the final selection. The institution has lost 76 per cent of its original personnel since the commencement of the war. At the present time recruitment of staff is a definite problem to institutional management. In view of these difficulties, it would seem logical to the committee that a number of temporary positions be established to anticipate replacement needs. It was quite obvious to the committee that the personnel of the institution had been selected in the first instance with great care and with due attention to intelligence and capabilities. The personnel impressed the committee as being high in standard and adaptability.

MERIT SYSTEM

The merit system of the institution includes, in addition to statutory credits, extra-meritorious credits given for diligence, good conduct, and accomplishment.

RULES AND REGULATIONS

The rules and regulations governing the institution are posted in every room and between each bed in the dormitory. The rules are plain and easily understood.

GENERAL ADMINISTRATION

The general administration of the institution is satisfactory. The operation is grouped into four departments, responsible as follows: business manager, manager of inmate welfare, chief supervisor, and medical director. These department heads are directly responsible to the executive superintendent. Under each department head are a number of divisions which report directly to the department heads. Twenty-five divisions in the institution are handled in a very efficient manner through these department heads, thereby relieving the executive superintendent of numerous details, and making it possible for him to allocate more time for general supervision and for over-all guidance of the program.

CONFIDENTIAL RECORDS

Inmates participate in the preparation of narratives. It is the opinion of the committee that it is a wrong practice. The preparation of institutional records which pertain to the narrative attached to each inmate's career should be done by free men. As soon as it is possible to secure the necessary personnel inmates should be divorced from any such duty. This also applies to the handling of the trust accounts of the inmates.

VISITATIONS

Inmates may receive visitors during certain hours on Saturdays and Sundays. If the weather permits these visitors gather in an open space adjacent to the administration building. On occasions there are as high as 200 visitors on these grounds at one time. The visitors comprise relatives, families, children, and friends. Many of them bring their own food which after examination by the chief supervisor's office, is eaten at tables on the visiting grounds. The families visit and picnic on these grounds. In stormy weather, inside visiting rooms are provided. There is always at least one supervisor on the grounds, and at times several men. This privilege and matter of visitation is most highly appreciated by the inmates, and is jealously guarded by them against disorders or infraction of rules. The personnel of the institution believe that it is a great factor in building morale among inmates.

PER CAPITA COST

The institutional estimate per capita cost for the Ninety-fourth Fiscal Year, July 1, 1942, to June 30, 1943, was \$828.99. The committee recognizes that this per capita cost is high as compared to the State's other penal institutions, but calls attention to the fact that the low inmate population affects this cost and that the program being carried on is of necessity more expensive than in the other institutions where men are treated more in the mass.

ESCAPES

The committee feels that an element leading to escapes is found in a record giving the names of those transferred from San Quentin to Chino over a period of years from 1941 to 1943. This record is almost startling in the revelation that 477 men have been transferred from San Quentin to Chino who had served from only one month to six months in San Quentin. The committee doubts whether in that period of time it could be demonstrated that men, so short a time in custody, could be properly studied and classified. Furthermore, the committee's belief is concurred in by the inmate counsel at Chino, which appeared before the committee, that sufficient time should be served in San Quentin prior to transference to Chino to fix in the minds of the convicts the difference in environment and opportunity which exists as between the two institutions. Unless a convict is impressed at San Quentin with the seriousness of his offense and the consideration which is being shown him by transferring him to the comparative freedom which exists at Chino, he is likely to remain unappreciative of the opportunity given him. In addition, it is likely to leave an impression that he has escaped penalty, and that escape into larger freedom is an easy matter. The committee recommends that this practice of transferring inmates from San Quentin to Chino before they have served at least six months be entirely abandoned. The more intelligent inmates at Chino emphasized before the committee the folly of the practice referred to.

INFRACTION OF RULES AND REGULATIONS

For institutional infractions of rules the line supervisor may require extra duty in the form of menial tasks for brief periods of time. For more important punishment, inmates may be confined to quarters for a short period of time, and have certain privileges taken from them. These minor penalties are imposed by the line supervisor or the chief supervisor. For the more serious offenses the matter is carried to the executive superintendent, who may deprive the inmate of his visitation, canteen privileges or mail privileges, together with loss of credits or a return of the inmate to San Quentin; the latter on the authority of the Board of Prison Directors. Of course, in all attempts to escape, or escapes, the penalty is immediate return to San Quentin.

GAMBLING

As in the case of all institutions where a large body of men are confined there is probably some small petty gambling at Chino. A satisfactory practice was inaugurated by the superintendent of giving the inmates all the smoking tobacco that they need, which is in contrast to the practice in other institutions of allotting limited amounts to the inmates, thus resulting in making tobacco the chief medium of exchange which in turn led to gambling and disorder. Tobacco at Chino has no value as a medium of exchange. The inmate has as much tobacco as he can use, the only requirement being that he must produce an empty tobacco sack in order to get more tobacco. Playing cards is permitted, as well as checkers, dominos, and the usual table games. In other institutions playing cards is prohibited. The experience at Chino seems to indicate that the permissive use of playing cards does not add to the temptation to gamble.

DEGENERACY

Inmates whether known or suspected of degenerate practices are not accepted in Chino, and should any be discovered they are promptly returned to San Quentin. The committee, after careful questioning of both inmates and personnel, believes that conditions in this respect are under control.

DISCIPLINE

The freedom of action within the institution is so generally broad that what would be considered infractions at the other institutions are accepted at Chino. However, there was testimony adduced before the committee from both governing personnel and some inmates that the discipline, particularly as it relates to smaller matters of conduct, could be improved. There was testimony that some of the inmates became insolent and too familiar with supervisors; that they smoke where "No Smoking" signs are, and called their supervisors by their first names; keep their hats on when they should be removed; and are untidy in their rooms and do not promote cleanliness and order in the corridors and about the buildings. It appears to the committee that these personal habits which demonstrate lack of courtesy and indifference to the cleanliness of their surroundings should be corrected. Inconsequential as this personal laxity may appear, in the greater struggle for readaptation upon release to the demands of society in the larger sense, yet they have no place in an institution of this kind, and may reflect in the future upon the inmates' opportunities for full recognition in the outside world.

CONTRABAND

The committee received no evidence that contraband of any nature was being introduced into the institution. However, the freedom granted visitors in checking in and out on visiting days might be conducive to the introduction of forbidden articles. The committee suggests that there be adequate and complete supervision on these occasions; not because of present complaints regarding contraband, but to avoid the temptation to introduce it with consequent ill effects, both upon the inmates and the reputation of the institution.

RACIAL DISCRIMINATION

There is no race distinction permitted among the inmates and no evidence that the rule of racial equality promotes discord.

CONCLUSION

The committee reiterates that the California Institution for Men constitutes an experiment, highly idealistic, the success of which has yet to be completely proven. The committee, after an inspection of the premises, believes that there was undue expenditure of public money in construction of some of the buildings at the expense of other needed structures which have since had to be added to by temporary and impermanent wooden structures. The institution was first conceived as one of minimum security, then a succeeding administration endeavored to transpose the institution from a minimum status to a maximum status. This policy, in turn, was reversed and the institution reconverted to one of minimum character. These changes caused an undue expenditure of public money which was wasteful and largely lost. The institution is now being conducted as one of minimum security; in fact, in freedom of custody surpassing any like institution in California and perhaps any similar institution in the United States. Upon this theory of minimum security and freedom of action of inmates, there is based the idealistic hope of complete rehabilitation upon the inmates' emergence into society. It is the committee's belief that, basically, the success of this experiment depends upon the close and proper classification and analysis of those convicted of crime prior to their transference to the institution. Comparatively speaking, the experiment at Chino has been under way but a few years, far too short a time to demonstrate the soundness of the theory under which it was established and the policies under which it is being conducted and maintained. The California Institution for Men, in the opinion of the committee, constitutes an experiment worthy in concept and one which should be carried through to a fruition of results will determine whether the theory is sound or not.

In pursuance of this policy, the committee has no particular criticism of the superintendency of the institution and is inclined to commend the discretion which obviously has been exercised in the selection of the institution's personnel. It is also obvious that no experiment of this kind can be successful unless the institution, through which the experiment is being carried on, is manned by a personnel high in character and ideals and devoted to the project more in the sense of the public good than in the hope of personal reward.

Aside from the extravagant expenditure of money in certain of the physical adjuncts of the institution, the committee adds the observation that there is danger in too exalted ambitions to justify basic theory underlying the establishment of the institution to the end that discipline becomes lax and the atmosphere too free from ideas of restraint, of instruction and of control. An institution of this kind is to be judged not entirely upon the number of escapes therefrom, nor the failures which result after discharge, but also in the impression made upon inmates while in the institution of the charity of the State in affording them such splendid opportunities for rehabilitation and their response thereto. That there is lack of discipline in Chino was plain to the members of the committee, not in the larger sense, but in the smaller details of personal conduct, of cleanliness, of respect for superiors, and of a concert of action on the part of the inmates which would develop in those niceties of personal behavior which, after all, have their part in any plan of rehabilitation which projects the affected person into the normal social order. These lapses of discipline at Chino can easily be corrected if those in authority seek them out and do not become oblivious to them by reason of too deep concentration on matters which to them seem of major concern.

REPORT ON BUREAU OF PAROLES

OFFICE FACILITIES

The Bureau of Paroles offices are located on the second floor of the Ferry Building, known as Suite 33, San Francisco, California. The rental is \$600 per month. The space occupied by the offices is something over 6,300 square feet. The rental includes the office space, light, heat, and janitor service. The suite consists of 11 separate office rooms, well lighted, ventilated and furnished, besides the general office, a stockroom, and storage facilities.

RECORDS

The bureau keeps a complete record of all men on parole, covering a period of approximately the last 34 years. The storage space in which these records are housed is subject to fire hazard. In view of the fact that Federal and State agencies, such as the Federal Bureau of Investigation, the United States Treasury, Postal Department, and police departments consider these records vital statistics, it is recommended that suitable storage facilities, of a fireproof nature, be provided.

DISTRICT OFFICE FACILITIES

In addition to the headquarters offices in the Ferry Building in San Francisco, the Bureau of Paroles maintains branch offices at Santa Barbara, Fresno, San Diego, Oakland, Santa Rosa and Los Angeles.

The bureau also has offices in the Library and Courts Building in Sacramento.

The State Parole Officer expressed the opinion that there is adequate office space provided in all offices maintained by the bureau, with the exception of the office in the State Building in Los Angeles.

FINANCIAL STRUCTURE

The financial needs of the Bureau of Paroles are determined by a survey of the number of inmates under parole in the respective district, dependent upon the requirements for automobiles and salaries of employees. Financial reports are submitted to the Board of Prison Directors for approval, and then, in turn, to the Department of Finance for acceptance.

ORGANIZATION

The Bureau of Paroles was organized and exists by virtue of the provisions of Article 3, Sections 2400-2404 of the Penal Code, as amended by the Statutes of 1943, Chapter 949, Section 1. Prior to 1943, the Bureau of Paroles existed without legal status. The Prison Board employed personnel to supervise men on parole as a part of their custodial responsibility. The statute heretofore mentioned was the first legislation which gave the Bureau of Paroles direct statutory authorization.

The growth of the Bureau of Paroles may be illustrated by the fact that in 11 years the expenditures have increased from \$41,426.99 in 1933 to an estimated \$171,862 in 1944, and the parole population has increased from 2402 to 4138. The personnel has increased from 11 to 55.

PURPOSES

The Bureau of Paroles is the supervising agency of parolees from State penal institutions. Its function is supervising of parolees. While it functions as an agency of the Board of Prison Directors, and is responsible to that board, its work consists of supervising men released by the Board of Prison Terms and Paroles.

ADMINISTRATIVE STRUCTURE

The State of California, for the purpose of administering parole supervision, is divided into three general areas described as Coastal Area, North Central Area and Southern Area. Each district is under the supervision of a parole officer, with a civil service rating of Grade Two, with the exception of the Los Angeles district which has two parole officers of such civil service rating.

There are five parole officers Grade One in the San Francisco district; three parole officers Grade One in the Oakland district; two parole officers Grade One in the Sacramento district; one parole officer Grade One in the Fresno district; and seven parole officers Grade One in the Los Angeles district.

At the present time men on parole, including parolees from other States under the supervision of the California Bureau of Paroles, are as follows:

San Francisco District	581
Oakland District	466
Santa Barbara District	121
Santa Rosa District	79
Sacramento District	287
Fresno District	155
San Diego District	90
Los Angeles District	1,122

PERSONNEL AND COMPENSATION

The Bureau of Paroles is headed by a chief parole officer, with his headquarters at 33 Ferry Building, San Francisco, California. The chief parole officer is appointed by the State Board of Prison Directors. The salary range is \$400 to \$480 per month. The chief of the Bureau of Paroles is appointed to serve at the pleasure of the Board of Prison Directors.

Besides the supervising officers in the areas heretofore mentioned, there is a supervising parole officer, with offices at Suite 33, Ferry Building, San Francisco, in charge of interstate parole matters. As interstate parole officer, his duties include the supervision of parolees from penitentiaries from other States, who are working in California, and also keeping in contact with parolees from California penal institutions who are working in other States. His duties also include the supervision of extraditions, repatriations, deportations, and parolees in the Merchant Marine.

There is also a supervising parole officer in charge of placement and direction. This position is provided to develop and administer the employment program of the bureau, and to make and maintain employment contacts. Under the rules of the Bureau of Prison Terms and Paroles, no inmate may be released from prison on parole until an employment program is approved by the Bureau of Paroles. The supervising parole officer is delegated authority to grant or withhold such approval for parolees from all three of California's penal institutions. This officer has headquarters at San Quentin for convenience and efficiency in carrying out the responsibilities of his position.

There is a parole officer in each of the three major California institutions, termed an institutional parole officer. Their duties are to develop a parole program for each man whose parole date has been set by the Board of Prison Terms and Paroles. The primary responsibility of the institutional parole officer is to prepare a parole program for inmates at his particular institution. It is his responsibility to interview all inmates prior to parole, in order to ascertain the best program for each inmate. This program consists of preparation, while confined in the prison, in order to facilitate the adjustment of the parolee when released from prison and returned to

society. The institutional parole officer assumes primary responsibility of instructing each parolee as to the rules of parole release set up by the Board of Prison Terms and Paroles. Being the representatives of the Bureau of Paroles at the institutions, these officers sit and counsel with the Board of Prison Terms and Paroles during its hearings at the respective institutions.

PRE-PAROLE PROGRAM IN PRISON

Most every man, or at least 95 per cent of the men, to enter prisons will eventually be released upon society again. In order to properly prepare the inmate for citizenship, a pre-parole prison program should be inaugurated as soon as the inmate arrives in the institution.

JOB ASSIGNMENT

The personnel is under civil service. Certain qualifications, however, necessitate only the highest picked men for institutional parole officer. He should be a college graduate in social work; have some practical field experience in parole work; be capable of lecturing to a group of potential parolees; organize a program of that nature; and be an educator. The best person to fill this position is one who has qualified as a law enforcement officer or has had adult probation experience, and usually one who has lived in the community where he is to work. Officers assigned to the rural areas are more mature men who are stable and capable of working without much supervision. Promotional examinations are given at certain intervals.

SALARY RANGE

The high qualifications prescribed by the civil service precludes the bureau's obtaining adequate assistance, because of the low range of salaries, even under normal conditions. The work is of a nature that often necessitates a parole officer devoting 48 to 60 hours per week to the performance of his duties, as shown by the case load. In parole work, it is considered good practice that a parole officer carry a case load of 75. California officers are carrying an average case load of 126.

RULES AND REGULATIONS

There are no rules or regulations in any printed form to guide the conduct of the parole officers in carrying out their responsibilities. From time to time the chief parole officer issues written instructions and oral recommendations to the men.

CONDITIONS OF PAROLES

Rules and Regulations

Under the present procedure, the Board of Prison Terms and Paroles regulates the conditions under which men are released on parole from our State institutions. Pursuant to that, certain written rules have been prepared by the board and submitted to the Parole Bureau for their guidance in the supervising of parolees. Each parolee has to sign his "ticket of leave," which includes the rules and instructions, and keeps a copy in his possession.

PROCEDURE UPON PAROLE VIOLATIONS

In the event of an arrest of a parolee, either by a parole officer or the police department, he is held in a local jail pending disposition of his case. The parole officer immediately fills out a form announcing the fact that this man has been placed in custody by the parole officer. Another form is then filed in duplicate with the Board of Prison Terms and Paroles and with the Parole Bureau, stating the disposition of the case. In the event an alleged parole violator's case can not be successfully handled and the parolee released from jail, Form 59 is sent to the chairman of the Board of Prison Terms and Paroles, requesting authority to return the parolee to prison as a violator and to await further action by the Parole Board.

Formal charges are then filed against the parolee for the alleged violations, before the Board of Prison Terms and Paroles. The parolee is given a copy of the charges. At the hearing before the Board of Prison Terms and Paroles, the Parole Bureau

is present and submits the evidence to substantiate the charges. The board then determines whether or not the complaint is sustained or the parolee is reinstated on parole.

RECORDS—CONFIDENTIAL

We find all of the work and the keeping of records of the Parole Bureau, in the San Francisco office and outlying districts, are handled by free people.

BUREAU'S OBJECTIVES

Parole supervision has two main objectives:

1. To provide an official State agency to assist released men in bringing about their adjustment, to counsel with them, to assist them in their employment problems and in their domestic problems;
2. In the event there is a violation of parole rules, it is the province of the Bureau of Paroles to remove individuals from society.

The Chief Parole Officer estimated that the per capita cost of parole supervision averages \$35 to \$37 per year.

CONCLUSIONS

Suitable fireproof space should be provided for parole records because of their statistical value. The Bureau of Paroles should be under the jurisdiction of the Board of Prison Terms and Paroles because its entire work consists of supervising parolees, who have been released from prisons by the Board of Prison Terms and Paroles, and all of its activities are in conjunction with the Board of Prison Terms and Paroles.

The committee suggests that the institutional parole officer might well be a member of the classification committee at each institution. In view of the unanimous approval of the institutional parole officers, the Board of Prison Terms and Paroles and its staff, and supported by a program now being developed in the prisons of the State of New York and also in the Federal system, the committee favors the establishment of a pre-parole program in prison, in each institution, for the purpose of educating and preparing inmates for their eventual release, to overcome such tendencies that would retard their progress, and to educate them in economic, civic, and social responsibilities, which they will have to assume upon their return to society.

An in-service educational program, preparing parole officers for their respective duties, should be inaugurated just as soon as adequate personnel is available. An analysis should be made by the suitable agency of the State Government of the salary ranges, requirements, and sufficiency of personnel. An in-service training manual of instructions, rules and regulations should be prepared for each parole officer, after being approved by the Board of Prison Terms and Paroles.

It is noted that rule six in the "ticket of leave" does not prohibit parolees working in establishments where liquor is sold. However, it was the unanimous opinion of parole officers interviewed that liquor was the greatest contributing factor in the commission of parole violations and it was inadvisable to permit parolees to work in such establishments. Records indicate that there are about eight parolees working as bartenders and approximately 60 parolees working in and about taverns in other capacities. In view of the fact that parole officers do not approve of this practice, it is the committee's recommendation that a further study and analysis should be made of this particular job assignment.

REPORT ON BOARD OF PRISON TERMS AND PAROLES

ACT CREATING BOARD

The Board of Prison Terms and Paroles was created by the statutes of 1931, Chapter 487, page 1061.

Subsequent to its creation, amendments to the law have been added clarifying its functions.

The sections of the Penal Code, covering the authority of the Board of Prison Terms and Paroles, may be found in Chapter 8, Articles 1, 2 and 3, of the Penal Code of the State of California.

FUNCTIONS

It is the responsibility of the Board of Prison Terms and Paroles to determine and redetermine the terms of imprisonment of male persons sentenced to the State prisons of the State of California. It is likewise the responsibility of the board, subject to certain statutory limitations, to determine when and under what conditions prisoners may be released from the State prisons.

PERSONNEL

The Board of Prison Terms and Paroles consists of a chairman and two members who are serving on a part-time basis, at an annual salary fixed by statute, for terms of four years.

The only paid staff, directly responsible to the Board of Prison Terms and Paroles, is the executive secretary, E. A. Burkhart, and a stenographer.

The office facilities consist of offices located in the Kohl Building, San Francisco, consisting of three rooms and a storeroom.

FINANCIAL STRUCTURE

The budget for the Ninety-fifth and Ninety-sixth Fiscal Years, covering salaries, operating expenses and equipment, amounted to \$57,760.

PROCEDURE

Meeting Places

The board meets at each of the State prisons each month, with the exception of the California Institution for Men at Chino, where it meets every other month. The meetings at Chino were put on a bimonthly basis because of difficulties of transportation and the small number of inmates involved.

The board completes each calendar, at each institution, before adjournment.

The board spends between 15 and 20, eight-hour days each month, including traveling time, and handles approximately 500 cases per month.

Case Histories

Prior to a case being placed on the calendar for determination by the board, a case history is prepared, which is termed a narrative.

The clerk to the State Board of Prison Directors in each prison functions in the capacity of clerk for the Board of Prison Terms and Paroles. It is estimated that 75 per cent of his work is performed for the Board of Prison Terms and Paroles; although he is employed by the Board of Prison Directors.

The clerk designates what information shall be included in the narratives. His information is received from the district attorney, the judge, and the probation officer from the county from which the inmate was sentenced. The narrative also includes favorable and unfavorable letters by various persons interested in the case; it also includes a biographical sketch of the inmate, a report of the doctor or psychiatrist, or doctor and psychiatrist in many instances. There is an indication on the narrative of the industry and conduct record of the inmate. Inmates participate in typing and filing these documents.

Hearings

The inmate appears before the board and is questioned generally concerning his crime, family background, work record, conduct record, and his preparation for release. He is then given an opportunity to say anything in his own behalf that he desires.

Time allocated to each case would average twenty minutes.

At each hearing the board considers four types of calendars covering: (a) cases involving the setting of terms and, in some instances, fixing the parole term, (b) off-calendar cases, corresponding to ex parte matters in a court of law, (c) a special service parole calendar where inmates are asking for an opportunity to join the armed forces of the United States, and (d) a calendar of parole violators, which the board hears at San Quentin and Folsom Prisons.

POLICY

In addition to statutory limitations placed upon the Board of Prison Terms and Paroles in determining and redetermining sentences and releases on parole, the board is governed by some established rules and regulations.

(1) Inmates serving life-sentence terms, on charges of first-degree murder, have their cases postponed until ten calendar years have been served.

(2) Inmates must have six months' clean conduct record before they can receive any consideration before the board.

(3) Inmates who have served their minimum term automatically appear on the calendar and, if denied, appear one calendar year later—unless ordered on an earlier calendar due to some justifying circumstance. There are instances where inmates may appear before the board before their minimum term is served.

(4) In instances of parole violations, the board either recommends the forfeiture of credits or makes no recommendation to the State Board of Prison Directors.

It is highly commendable, and demonstrates conscientious work, that the calendars of the three institutions are up to date and the work complete. The committee feels that the Terms and Paroles Board are devoting their best efforts to their work. While some four or five hundred inmates have not had their terms fixed, although they have served the minimum terms, it is because many circumstances that enter into the fixing of a term makes it advisable, for the benefit of the inmate, that the case be postponed for further consideration.

CONCLUSIONS

The committee believes that the Board of Prison Terms and Paroles should be a full-time service. An adequate salary should be paid in order to attract the quality of individual who can assume the important responsibilities of the position.

A pre-parole school should be established at each institution to train and prepare men for parole and citizenship from the first day they enter prison until they are released. The classification of inmates is of basic importance and is vital to the Parole Board in carrying out its responsibilities. The classification program should be reorganized and the Parole Board should participate in the classification of all prisoners. Every effort should be made in the preparation and handling of narratives to keep the information from manipulation by the inmates. The Board of Prison Terms and Paroles should be the board to approve meritorious credit awards of all prisoners. They should also revoke, suspend, or cancel credits earned or to be earned for parole violators. The Parole Bureau should be placed under the jurisdiction of the Board of Prison Terms and Paroles. Before approving actual release, the Board of Prison Terms and Paroles should be furnished with the detailed plan which the parole department has worked out relative to the placement, employment, and supervision of the prospective parolee. The Board of Prison Terms and Paroles should be independent of any other prison management or jurisdiction.

REPORT ON CALIFORNIA INSTITUTION FOR WOMEN AT TEHACHAPI

In the State Legislature of 1927, a bill was passed which provided for appointment of a commission by the Governor to study the subject of a separate prison for women. In the 1929 Legislature, a bill was passed providing for the appointment of a state-wide board of trustees, composed of three women and two men, who were to purchase a site and erect the initial buildings, and to administer the institution when it was ready for occupancy.

The board of trustees selected a site of 1,682 acres lying in Cummings Valley in Kern County, located about 135 miles from Los Angeles and 50 miles from Bakersfield. The original buildings were completed in June of 1932. In September, 1933, the institution was opened as a unit of San Quentin. The Attorney General ruled that under the existing legislation, the jurisdiction of the institution would be under the

State Board of Prison Directors. In 1936, an amendment to the Constitution permitting the management or control of the institution to be placed under the board of trustees was adopted.

To date, the State's investment in capital assets is as follows:

Land	\$114,056.65
Improvements	413,788.02
Equipment	75,593.50
Grand total	\$603,438.17

The total number of employees at present is 35. The estimated cost per inmate for the year 1943-1944 is \$971.50. The total maximum population has been 210. The normal capacity in single rooms is 154. The present population is about 134. The estimated cost of bringing the present facilities up to the standard, for the present population, is around \$200,000. The anticipated population of 300 inmates would cost additionally approximately \$350,000, exclusive of furnishings and equipment. There are approximately 87 parolees from the California Institution for Women, and provision for their return must always be available in the event of violations.

The buildings include industrial buildings, laundry, dairy, recreation hall, school room, and barn buildings. Some of the temporary buildings do not meet the housing requirements. This situation invites a fire hazard. The farming facilities are entirely inadequate. The dairy barn is unsanitary. The slaughtering facilities would not pass inspection, and there should be adequate modern slaughtering facilities provided. Also, adequate commissary and storage facilities and storehouse must be provided. The building program of the institution has not been completed, and for the past 10 years there have been no permanent farm buildings, industrial building or school provided. No permanent structures have been built since the original opening in 1933. Many of the temporary buildings in use have been condemned. The immediate building needs of the institution include: a vocational building, \$75,000; farm buildings, \$41,250, hospital and detention unit, \$78,000 and a cottage to house 35 girls, \$73,000, a total of \$267,250. This estimated cost has been approved by the Department of Finance as essential. Likewise, the State Planning Commission, in its January, 1943, report, recommended the erection of additional buildings at the institution as soon as war conditions permit.

The board of trustees appoints the superintendent of the institution, who performs the same duties and exercises the same functions respecting such females convicted of felonies, as the wardens now exercise over male prisoners, as provided in the Penal Code under Section 3325. The superintendent is exempt from civil service. All other persons are subject to the rules and regulations of the State Personnel Board.

As stated before, the population at the institution at the present time is 134, and on January 1, 1942, it was 174.

The educational program receives the cooperation of the Tehachapi High School. Girls in the honor classification attend night school shop at the Tehachapi High School and are taught welding, lathe work, blueprint reading and mechanical drawing. Classes in the institution taught by teachers of the Tehachapi High School include stenographic work, corrective speech, social science, handicrafts, physical education, nutrition and preparation of foods.

The parole office for the institution is located in Los Angeles. A second office is to be established in San Francisco, but due to lack of personnel, only one parole officer is available to supervise 89 women at the present time. Three of these cases are handled for other States. For the period ending December 31, 1942, of 170 cases supervised, 21, or 12.35 per cent, failed on parole. The parole supervision is entirely inadequate. Consideration should be given to space in the San Francisco parole office located in the Ferry Building.

The war effort includes the making of some 20,000 pillow cases for the United States Navy. Also, some 15,000 mosquito nets have been made, and another contract is in process. The manufacture of American Flags has existed since the inception of the institution.

A comparison of the per capita costs of this institution with the cost at other women's institutions in this Country for 1939-1940, the latest data available, shows costs for the California Institution for Women to be lower during that period than for 10 leading prisons and reformatories for women. However, it is interesting to note that the per capita cost of the California Institution for Women has increased

over 100 per cent since 1940, a portion of which is undoubtedly due to the remoteness and isolation of the institution.

There is a definite program for the individual treatment of women committed, looking toward social adjustment. Every woman is given a complete physical examination, and an effort is made to have proper corrective measures in surgery and dentistry, although the war conditions have made it impossible to secure the services of a resident physician. The present physician, Dr. Madge Q. Schlotthauer, who resides in Tehachapi and receives a monthly compensation of \$320, visits the institution twice a week, and is on call for emergencies and advice. This practice is entirely unsatisfactory and unsafe. Because of the isolated condition of the institution, every effort should be made to have a resident woman doctor. There is no psychiatrist on the staff at the present time. There is no X ray that is suitable, and inmates must be carried to the hospital at Tehachapi for this service.

There is an active work program outlined, but the play program has been neglected due to want of personnel. The work program necessitates 64 hours per day. Additional time is spent in school in extra-curricular activities. The work includes milking and care of the dairy, poultry raising, truck gardening, cooking, baking, laundry, household tasks, office assignment and sewing. No compensation is given the women. Extra sources of income are from work performed on special hobbies such as sewing, painting, etc., and commissaries may be purchased from these earnings. A maximum of \$25 gate money is given to discharged or paroled inmates, providing no other funds are available. This, of course, is in addition to transportation to the place from whence they were committed; also outgoing clothes. The outdoor sports of baseball, volley ball and tennis have not been actively carried on. Motion pictures are shown once a week.

A commendable system includes a cottage council of 12 elected members, comprising three inmates from each of the four cottages. The council acts as a contact between the superintendent and the women in matters of community interest. This plan has been eminently satisfactory because the council serves as an instrument in developing responsibility, administrative judgment and self-respect. The institution has an honor merit system, through which women earn privileges and good time allowances. A very satisfactory classification committee, consisting of the superintendent and four staff members, evaluates the work and conduct of each woman every month. There are four classifications, as follows: probationary, standard, substandard and honor.

The housing facilities are divided into four cottages, occupying three buildings in all. A very unsafe practice is the locking of the girls in their rooms with doors that open in, with separate keys. In the event of an emergency, fire or earthquake, this would be a serious handicap and probably fatal to life in effecting a quick exit. The trustees advise that this condition will be corrected as soon as suitable materials are available.

There is no institutional chaplain, but different denominations are represented, who come from nearby towns.

Employees in charge of the women in the cottages are very satisfactory and represent a substantially high type of intelligent woman. The concept of their activities and performance is highly commendable. The salaries for warders range from \$165 to \$205 per month. The cost of food and maintenance averages around \$30 per month, which is deducted from the salary. Many qualified people refuse to accept employment at the institution because of its remoteness, causing alienation from their families and friends, and all sorts of recreational amusements. This is also accountable for the high turn-over in employment.

The board of trustees meets every four to six weeks. Their functions include administration and determination of sentences and paroles. A number of important positions in the institution are vacant, due to lack of personnel. It is the general consensus of opinion that the isolated location of the institution makes the staff problem far more difficult than the inmate problem, and that service at the institution is practically isolation for the staff. The institution is some 11 miles from the railroad, and it has been known to be completely cut off for a number of days when heavy snowstorms and drifts made the roads impassable. The turn-over in personnel is a great handicap to the management.

The chairman of the board of trustees, Mrs. Thora M. Merchant, of San Francisco, and Miss Grace E. Barneberg, vice chairman, of San Luis Obispo, were present at some of the conferences held with the superintendent, Miss Alma Holzschuh. The committee was impressed with their sincerity of purpose and honest effort in carrying out their respective duties.

CONCLUSION

As stated above, the State's investment in capital assets is \$603,438.17, capable of housing a normal capacity of 154 inmates, and in view of the fact that the estimated cost of bringing the present facilities up to the standard for only the present population is an additional cost of around \$200,000, and if an anticipated population of around 300 inmates would add an additional cost of \$350,000, the committee feels that a better purpose could be served in abandoning the present Tehachapi location and using these funds to erect or purchase another site more suitable and applicable to overcome the present handicap of a location that makes it difficult to secure personnel and rehabilitate the inmates.

The general condition of the discipline is satisfactory. There is only one isolation room, which is used on only rare occasions. If an inmate has to be segregated, the hospital is generally used.

The morale of the inmates is good, considering the isolation, which latter makes it impossible and impractical for visitations of relatives and friends, as well as many other advantages which are not available, such as lectures, visiting medical staff, and outdoor recreational activities.

The committee is advised that degeneracy is practiced occasionally, but every effort is made to correct same.

The superintendent is in very close touch with the staff, although a business manager is needed to coordinate the various departments and create profitable activities in the institution. A business manager would help to analyze monthly financial reports, supervise the various departments and eliminate activities that are poorly operated due to insufficient facilities, or impractical on account of certain conditions.

The water supply is not adequate, due to insufficient pumping facilities. New equipment should be provided before the summer season, when the water supply diminishes.

Printed rules and regulations should be posted in the room of each inmate. Likewise, written instructions to all warders and employees should be immediately prepared.

The method of recruiting new employees is through the Civil Service Personnel Board. Free employees are used in preparing all records and narratives for the board of trustees. At no time are inmates permitted to work on narratives, other than to do the actual mimeographing under the supervision of a free employee. An inmate also photographs all new arrivals. Upon request, an employee may ask for a change of position in the institution. Many of the older warders are familiar with the various posts of activity.

There are no inmate cliques or groups that control or manipulate any of the departments, although the kitchen in the administration cottage is operated entirely by inmates. The warders supervise the preparation of meals for inmates in each cottage; likewise, the menus.

During the committee's visit the wind was so extreme and violent that at times it was difficult to hear normal conversation. The committee was advised that during certain portions of the year this objectionable feature is not unusual. Many of the staff complained of climatic conditions.

REPORT ON PRESTON SCHOOL OF INDUSTRY

The committee convened at the Preston School of Industry Wednesday, January 12, 1944.

The committee visited the farm department, including the dairy, the orchards, gardens and fields, the machine shop, automobile mechanics, sheet metal, electric and paint shops, the hospital, a large dormitory building, kitchen, dining rooms, auditorium, chapel and the segregation building used for disciplinary purposes.

The committee interviewed the superintendent, assistant superintendent, various group supervisors, instructors and attendants.

The committee confined itself to making a quick inspection of the physical plant and getting reports from the administration relative to the number of boys cared for, admission policy, classification work, discipline, staff organization, the urgent needs of the institution and the superintendent's ideas relative to postwar plans.

PHYSICAL PLANT

The cottages, dormitories, shops and farm buildings at the Preston School of Industry are in reasonably good condition. The maintenance program has been well carried out and urgent immediate repairs have been made. The Administration Building was built in 1870 and the Division of Architecture has recommended that it be abandoned and replaced. If the present population is to be maintained, the institution needs an additional segregation building. If older and more difficult boys are removed from the institution, the present segregation unit is probably adequate. A cottage providing single rooms where sex cases could be segregated is urgently needed under any circumstances.

INMATE POPULATION

During the calendar year 1943, 1,044 boys were received in the Preston School of Industry. This included 688 direct commitments by the courts to Preston, 56 boys returned for parole violation, 266 accepted in the Youth Authority Clinic and 34 older boys transferred from the Fred C. Nelles School for Boys. During the year 189 boys were sent to residences out of State. These boys were committed to the school primarily for the purpose of deportation. At the time of the committee's visit the population was 649. The population has been consistently heavy, running at times well over 700. There is a long waiting list from the courts and the courts are very impatient because of the necessity of keeping these boys in local jails where conditions are far from satisfactory. The institution should not keep more than about 640 boys at any time. The presence of the Youth Authority Clinic at the institution has created some problems. Additional staff was provided for the Youth Authority Clinic, but as the number of boys committed to the clinic increases, other staff additions will have to be made. The clinic should be established separate and apart from the institution as soon as possible.

ADMISSION POLICY

Boys are received at Preston School of Industry, on direct commitment from the juvenile courts, on transfer from the Fred C. Nelles School for Boys, on return for parole violation and on commitment from the Youth Authority. All boys are received in the hospital where they are given a medical examination. Youth Authority commitments are then transferred to the Youth Authority Clinic where the Youth Authority staff makes detailed studies. Boys directly committed to Preston are placed in the receiving cottage for approximately two months. They engage in military training, attend school and do some work. At the end of that time they appear before the classification committee, composed of the superintendent of the school, principal, head group supervisor, psychologist and chaplain, and are assigned to a cottage, to school and to a trade. They come back before the classification committee periodically for a recheck and for reassignment. The classification work seems to be fairly well done. Boys are given written handbooks telling them about the school and giving them the rules and regulations.

MILITARY DRILL

The law provides that all boys at the Preston School of Industry shall receive military training. They are organized into cadet companies and during the first two months are given intensive close order drill. There is a cadet officer system and cadet officers are used as drill masters and given other posts of responsibility. In the exhibits are the instructions to the cadets and the written handbook for cadet officers. Under the regulations, cadet officers have no disciplinary authority over the cadets. It is difficult to keep the cadet officers from exercising such discipline or from abusing their officer privileges.

MEDICAL CARE

The hospital is well equipped and reasonably adequate. The medical staff is limited and there is no psychiatrist. As quickly as possible the medical work at Preston should be completely reorganized. In view of the large number of boys in the institution who are psychopathic, and borderline mental cases, there is need for full time psychiatric service.

EDUCATION

There is a good academic school. The training is conducted by certificated teachers. All young boys and boys who are particularly interested in academic work are enrolled. All boys are in school one-half of each day, either in the academic school or in the vocational trades. Preston has some excellent shops, excellent equipment and some good trades instruction. In recent years the trades instruction has not been uniformly good. The Youth Authority at the present time is completely reorganizing this part of the program with the help of the Personnel Board and the State Department of Education. There are three well organized classes now and ten more are to be set up at once. This part of the program needs to be very definitely improved and strengthened.

RECREATION

The recreation program is well organized. The boys engage in military training, in all sorts of sports and there is an excellent auditorium where picture shows, lectures, and other entertainments are given. The boys have also built a very fine swimming pool, which is in constant use in warm weather.

RELIGION

There is a Protestant pastor on the pay roll and arrangements have been made for Catholic services through the local parish. There is a fine chapel for the use of the various religious groups and the religious program is well conducted.

SUPERVISION

The boys are moved about the grounds in military formation. They are under the supervision of their group supervisors assisted by the cadet officers. The group supervisors have the authority and responsibility for all discipline. Due to the shortage of staff, there are not enough men in the large dormitories. Sometimes there is only one group supervisor and at most only two to look after 74 boys sleeping in two-decker beds. This makes it difficult to eliminate sex immorality. The supervision program is well organized and the population is reasonably well controlled. During the calendar year there were a total of 71 escapes. Considering the large population moved through the school and the shortage of personnel, this record compares favorably with past years.

DISCIPLINE

Discipline in the school is handled in the cottages by the group supervisors. In the shops and schools the teachers are in charge. Minor disciplinary infractions are punished by loss of privileges, by putting a boy on silence and by making him stand at attention. For serious infractions, the boy is reported to the head group supervisor and is placed in the disciplinary cottage. The disciplinary cottage is a well constructed building containing individual cells. The boys in the disciplinary cottage work all day at various tasks. They are given regular meals and are given evening class instruction. They are locked in their cells at night. The cells are sanitary and provide reasonable comfort. The length of time the boy stays depends upon his attitude and the seriousness of the offense. The Superintendent, the assistant superintendent and the classification committee check on disciplinary cases, particularly those boys placed in the disciplinary cottage.

The superintendent states that every effort is made to keep the cadet officers from using corporal punishment or from exercising disciplinary control over other cadets. Many of the group supervisors are new and inexperienced. Inexperienced officers tend to permit the cadet officers to exercise more authority than is wise. They find it impossible to entirely eliminate fighting or to keep cadet officers from striking other boys. Where such acts are reported to the superintendent, assistant superintendent or head group supervisor, the cadet officers lose their commission and return to ranks or are given other punishment.

SEX OFFENSES

Many of the boys committed to the Preston School of Industry come there because they are sex deviates. It is not possible to properly segregate boys of this type from the rest of the inmate population. Some boys are kept in the segregation unit if they

are particularly flagrant violators. Some boys are also kept in the individual rooms in the hospital. The rest of them are kept in the regular cottages and are supervised as closely as possible. This method reduces but does not completely eliminate sex immorality.

PSYCHOPATHIC AND DEFECTIVE DELINQUENTS

The last analysis of the Preston School of Industry made by the psychologist on July 1, 1943, classified as severe custodial risks 7.8 per cent of the population and classified as quite severe 39.1 per cent. The psychologist estimated that 5.3 per cent of the population presented *very serious* personality problems and that 26.5 per cent are classified as serious personality problems. It is reasonable to assume that approximately 10 per cent of the population fall definitely within the psychopathic and defective delinquent classification and should either be removed from the institution and placed in a psychopathic hospital or separate facilities should be established for them at Preston. In this group are included the sex deviates.

RELEASE PROCEDURE

The placement officer and the classification committee begin to plan for the release from the time the boy is admitted to the school. Parole officers provide the placement department with up-to-date checks on home conditions and about 60 days before release begin to work with the boy and with his parents in order to formulate a placement, school and work program. Due to the pressure from the counties to accept boys whom the courts have waiting in jail, the program at Preston has been speeded up. Some boys are being released too quickly. Other boys are being released into situations which are not satisfactory and which do not lead to rehabilitation.

PERSONNEL

The superintendent regards the personnel problem as the most serious of the problems in the institution. He estimates that he should have nine additional group supervisors, one additional graduate nurse, two additional clerical workers, one more teacher and one recreation leader in order to properly handle the present population. He also strongly recommends that all of the group supervisors be placed on the third salary step. He believes that this would make it possible to recruit and hold employees. Since the war it has been extremely difficult to get group supervisors to work at Preston. The qualifications for these employees have been lowered until they are practically nonexistent. The trades instruction program at the school needs to be completely revised and this is being done by the Youth Authority, Personnel Board and State Department of Education. With a better training and activity program, there would be less need for men to do nothing except supervise. The general age level has dropped in the last two years. In July, 1943, there were 539 boys 17 and younger. In October, 1941, there were only 475 boys 17 or younger. This decrease in average age, coupled with an increase in the number of boys from minority racial groups, complicates the supervision and disciplinary program. The hospital staff is inadequate and as soon as competent physicians are obtainable this situation must be remedied.

CONCLUSION

The personnel situation has been bad and it is regrettable that it was deemed necessary to so greatly reduce the standards for group supervisors. The entire industrial training program needs to be revised and the Youth Authority is now in the process of doing this. Because of the wide spread in ages, the seriousness of the offenses for which many of these boys were committed and the presence of large numbers of psychopathic and defective delinquents, it is necessary to maintain in the one school a combination of training school, reformatory and medium security prison. This situation should be frankly faced. Some provisions should be made so that the older and more incorrigible boys could be placed in a medium security institution. The balance of the boys could then be kept in Preston and a training school program could be instituted which would be far more beneficial and more effective in carrying out the purposes for which the school is supposed to exist. Weak group supervisors can not eliminate the abuse of authority by cadet officers. Present housing facilities and inadequate staff make it apparently impossible to completely eliminate immoral sex practices. Definite consideration should be given to reorganizing the institutional staff and con-

sideration should be given to a salary range, which will recruit and retain the type of competent, trained worker who must be employed if any satisfactory result is to be achieved. Placement and parole methods need to be revised and additional placement officers should be employed.

The Youth Authority Clinic should be removed from the school and established elsewhere as soon as possible.

REPORT ON THE FRED C. NELLES SCHOOL FOR BOYS AT WHITTIER

The committee met at Whittier on January 2, 1944.

The committee visited the school building, hospital, the Jefferson Dormitory, which is being used as a receiving unit, the discipline cottage, the segregation unit, the cottage housing the junior group composed of the youngest inmates, the shoe shop building, the powerhouse, the paint shop, the carpenter shop, the bakery shop, dining room, kitchen and Administration Building. The committee drove about the grounds of the school and inspected the playgrounds and Administration Building. The population of the school on January 2, 1944, was 315.

The committee interviewed the superintendent, institutional engineer, assistant superintendent, school principal, LeRoy Raymond Haynes, Protestant Chaplain; Francis Leo Doud, Catholic Chaplain; and other persons employed at the school.

INTRODUCTION

Due to lack of time, the committee decided to confine the scope of its investigation to a quick survey of grounds and facilities and to a discussion with the superintendent and department heads as to the general administration of the school, with the primary purpose of ascertaining major needs and outstanding difficulties. The superintendent was asked to furnish the committee with an analysis of the population by number, age, intelligence level, school grade placement, number of boys received, the length of stay and the number of escapes. The committee was furnished an analysis of the personnel employed in the school, personnel changes and general staff needs. Other reports given to the committee were the superintendent's analysis of improvements which need to be made to the physical plant, such improvements as are needed at once and improvements which can wait for postwar construction.

The school has published an employees' handbook used in the In-service Training Program, which is well prepared and materially aids the training of employees.

The committee makes the following findings of fact based on observation, testimony of the superintendent and department heads, and written reports submitted to the committee:

PHYSICAL PLANT

(a) The most urgent need of the institution is for an enlargement of the receiving unit. The present unit only has a capacity of approximately 36 boys. All new boys are accepted through the hospital and after medical examination are put in the receiving unit for observation.

(b) The disciplinary cottage is very poorly arranged. A real effort has been made to remodel so that the boys in this unit may be properly supervised; that the number of escapes may be materially reduced, and that the boys in the lost privilege unit may be safeguarded while there. This unit should be either abandoned or completely remodeled at the earliest possible opportunity. The slightest relaxation of vigilance may easily result in another tragedy similar to the two suicides which completely demoralized the institution a few years ago.

(c) The school management and the Youth Authority are making every effort to maintain the present plant to maximum efficiency. Plans for postwar building have been carefully studied and submitted to the State committee in charge of all State postwar work.

INMATE POPULATION

(a) The population of the school on the date of the visit was 315. The maximum capacity is 320. Some 40 boys were waiting in county juvenile detention homes, or jails, for admission to the school. The school is constantly filled to capacity and for many months has had long waiting lists from the juvenile courts.

(b) *Intake policy.* All boys are committed to the Youth Authority for placement at the Fred C. Nelles School for Boys. The probation officers send in reports directly

to the superintendent, who advises them as to date of delivery. All boys are taken into the hospital unit where they are given thorough medical examinations and where they are interviewed by either the Protestant or Catholic chaplain, depending upon their religion. When they are cleared by the medical department, they are then placed in the receiving unit for observation. In this unit they are given additional instruction, various tests, allowed to do some work and to get outdoor recreation. After about six weeks, they are taken before the classification committee, which consists of the superintendent, assistant superintendent, principal of the school, two chaplains, psychologist and physician (physician is not always able to attend but always sends his reports). The boys are then classified as to cottage and school trade and work programs. The boys are brought back before the classification committee periodically for a check as to progress.

Medical Care. The hospital unit is well equipped but is too small to care for the number of boys in the institution. The full-time psychiatrist is in the Army and it has been impossible to replace him. At the present time the institution is relying on the part-time service of local doctors. These doctors are making a real sacrifice in trying to care for the institution, but the amount of medical care available is not sufficient.

EDUCATION

The institution has a good academic school with certificated teachers. It also has a vocational training program. All of the older boys go to the academic school one-half day and are engaged in the trades or institution maintenance for one-half day. The younger boys are in school for the full school day. There has been a decided drop in the average age level so that there are now two cottages of junior boys in the institution. This has thrown the educational program out of balance. There is more need now for academic teachers and less need for the present vocational program. This condition may be only temporary and some shifts of personnel are being made to temporarily meet the problem.

RELIGION

There is a full-time Catholic priest and a full-time Protestant minister employed in the school. Both of these men act as counselors for the boys who belong to their religious faiths. Both men seem to have an excellent understanding of the boys and to have good staff relationships. They are not only the spiritual advisors but also the counselors and real friends of the boys. They are given complete freedom to visit any part of the school at any time, and both serve on the disciplinary committee and both visit the disciplinary cottage daily.

RECREATION

There is an excellent recreational program in the institution with an organized program of intercottage competitive sports.

SUPERVISION

The supervision program seems to be well organized and reasonably effective. Many of the group supervisors are new and have had little experience or background for the type of work they are attempting to do. The number of boys under the charge of each supervisor is too large for really effective control.

DISCIPLINE

Discipline is maintained primarily by a system of rewards and demerits. The boys can earn privileges by good behavior and by maintaining a high level in all their activities, and can materially reduce the time they stay in the institution. For flagrant violation of the rules, boys are sent by the head group supervisor to the disciplinary cottage. The length of time they stay there is determined by the disciplinary committee, which is composed of the superintendent, assistant superintendent, head group supervisor and chaplains. Most boys in the disciplinary cottage are held in its main dormitory, but if they are incorrigible, they are placed in one of the five disciplinary rooms. The length of time they stay in these rooms depends entirely upon the boys themselves. If they are willing to come out and behave themselves, they are released back into the dormitory. The disciplinary unit is checked every 15 minutes and the door from the hall into the dormitory is left open. These disciplinary rooms are not satisfactory and should be abandoned as quickly as suitable detention facilities can be provided.

PSYCHOPATHIC AND DEFECTIVE DELINQUENTS

Approximately 10 per cent of the boys in the institution fall into the psychopathic and defective delinquent classification. Some of these boys should be cared for in a psychiatric institution designed to study and care for boys of this type.

SEX PROBLEMS

Many boys are admitted to the Fred C. Nelles School because of sex deviation. It is impossible to properly segregate those sex cases within the institution. Every effort is made to supervise them and immorality appears to be as well controlled as can be reasonably expected under the circumstances.

RELEASE PROCEDURE

The classification committee and the placement department work very closely together, and the boys are not released until some plan is made for their care. Due to the constant pressure from the counties for the institution to accept more boys, there is a tendency to release the boys before they are really ready for return to the community. Because of lack of funds and the almost utter impossibility of securing boarding homes, many boys are placed back with parents or relatives who have never exercised proper supervision or control. The case loads of the placement officers are too high and their territories too large to make it possible for them to give the supervision and guidance required.

PERSONNEL

The school is well organized and there seems to be a clear understanding as to the functions of the various departments and to the responsibilities of the employees. An in-service training program has been inaugurated and is functioning well considering staff limitations and difficulty in finding time to bring the staff together for the training required. There has been a tremendous turnover in personnel during the past two years. Group supervisors receive \$130 plus the wartime \$25 increase. Since the school is located near so many war industries, it is difficult to retain competent men at this salary. It is also hard to provide these men with living quarters. Many of the group supervisors now coming to work have had no training or experience. This throws a very heavy burden on the few experienced officers in the institution. Some immediate consideration should be given to the salary scale if competent people are to be recruited and held during this war period.

The clerical staff has been equally hard to hold and recruit. The accounting and bookkeeping is several months behind and this makes it impossible to ascertain current operating costs and to keep the other records essential for adequate financial control.

The school is badly in need of a full time psychiatrist and physician. The nursing staff is also inadequate.

CONCLUSION

The school appears to be well organized and competently administered. The staff turnover and inability to recruit properly trained people constitutes a very critical problem. The receiving unit, the medical unit and the disciplinary unit are inadequate and, as far as the disciplinary unit is concerned, it is actually dangerous. The pressure of the communities on the school to admit boys makes it imperative to find some means of relief. The new school for younger boys, which the Youth Authority hopes to open in the next few months, should provide material relief.

REPORT ON VENTURA SCHOOL FOR GIRLS

The committee convened at the Ventura School for Girls Monday, January 3, 1944.

The committee visited a typical girls' cottage, the cottage that was recently gutted by fire, the recreation grounds, the lost privilege cottage, the laundry, the hospital, the receiving cottage, the school rooms, the administration building, the superintendent's cottage, the farm and the commissary.

The committee interviewed the superintendent, the house mother, for the lost privilege cottage, the nurse in charge of the hospital, the business manager, assistant superintendent, engineer, head group supervisor, and other employees.

INTRODUCTION

The committee confined its inspection of the school to a survey of its physical facilities and received testimony covering the intake and classification procedures, disciplinary procedure, and also received reports on all phases of institutional management. The superintendent was instructed to notify employees that the committee would be at the school and they were welcome to appear and testify if they so desired. Judge Drapeau of the Superior Court of Ventura County, Mr. Claberg, probation officer, Walter Fourt, Assemblyman, and Senator McBride were also notified of the hearing. Probation Officer Claberg and Assemblyman Fourt attended most of the meetings.

PHYSICAL PLANT

The buildings are well kept and are attractive and comfortable. Because of the hilly nature of the grounds, there is a difficult maintenance problem. Some of the sewer lines are in bad shape and extensive work needs to be done. There is also a bad erosion problem on which the Division of Architecture is working. The hospital is fairly adequate. The receiving unit is too small to permit a flexibility in intake. The laundry building is very much too small and is poorly ventilated and lighted. Plans are under way to increase the size but this is only a temporary measure and will not provide either adequate or proper laundry facilities. The disciplinary cottage is very poorly constructed and the rooms in which the girls are detained are unattractive, lack proper sanitary facilities and the entire cottage should be dismantled and new detention facilities provided at the earliest possible moment. The superintendent has submitted recommendations for urgent repairs which are being considered and carried forward by the Youth Authority. The superintendent and chief engineer have also submitted their plans for postwar building. These plans will be reviewed and submitted to the State agency considering postwar plans.

INMATE POPULATION

(a) The superintendent submitted an analysis showing the average population for the past seven years. During the year 1943, an average of 181.5 girls were in residence at the school. The highest previous average was 169.5 during the year 1939. During December, the population dropped to 165 due to a fire, which occurred during the severe storm and which made one of the cottages unusable. Twenty of the younger girls were transferred to the new school of the Youth Authority at Santa Rosa. The institution has a waiting list of between 30 and 40 girls and is under constant pressure from the counties to accept cases. Out of the 165 girls in the school, 32 were 18 years of age or over. Many of these were girls who had been returned from parole, or girls who had long delinquency records and who really benefit little from a training school such as Ventura. The school has girls from 10 to 21 years of age. This is too great an age spread, and the Youth Authority in opening the new school at Santa Rosa expects to remove the younger girls and to develop a program which will meet their particular needs. This will allow Ventura to develop a program to meet the needs of older girls and should be of advantage to both of the schools and to the girls who are committed there.

(b) All girls are received in the hospital unit. There they are given complete physical examinations and after they are released by the doctor, they are sent to the receiving cottage. Approximately 60 per cent of the girls require treatment for venereal diseases. Most of them have gonorrhea and have received some medication before they were admitted. They require further medical care. While the girl is in the receiving cottage, the records from the committing county are obtained and she is given various physical and mental tests. The classification committee, consisting of the superintendent, principal of the school and the head group supervisor, determine to which cottage the girl shall be assigned and her school program. The girl is returned to the classification committee at varying intervals for a check on her progress and for reassignment. All girls go to school at least a half day and are in the vocational classes or at work the other half day.

MEDICAL CARE

The hospital is adequately equipped for minor operations and for ordinary medical care. The school no longer has a full-time physician and is only able to get a doctor to come up for an hour or two a day and on emergency call. They have been able to

get two good nurses, but the medical staff is utterly inadequate for the institution. The hospital, itself, should be enlarged. There is no psychiatrist and no psychologist on the staff to do regular clinical work. Both the superintendent and the assistant superintendent are trained psychologists and are doing this work themselves, but they should have a regular staff member assigned to this work. The Youth Authority has asked for an examination for a clinical psychologist. As soon as an eligible list is received, the Youth Authority expects to assign a psychologist to do both the work at Ventura and at the new school near Santa Rosa.

EDUCATION

There is a good educational program at the institution. The classes are ungraded because of the wide variance in ages, intelligence levels and grade placements. The vocational education along home economic lines is particularly good. There are excellent classes in cooking, homemaking, sewing, laundry, gardening, etc. There is also excellent practical experience because the girls do all the housework, all of the cooking and make all of their clothing, including the dresses they wear when released.

RECREATION

There is a fine recreational hall, good indoor gymnasium, outdoor tennis courts, motion picture shows and music. The school has not had any staff member assigned for either recreation or as a music instructor. As soon as possible one person should be added to the staff who can teach music and revise the entire recreational program.

RELIGION

There is no chaplain on the staff but arrangements have been made with Catholic and Protestant chaplains to give regular services at the institution. Some of the staff members are trained religious workers and conduct regular Sunday school classes.

SUPERVISION

The girls are housed in five regular cottages, the receiving cottage and disciplinary cottage. The cottages are under the direction of a house mother assisted by several group supervisors. The girls appear to be adequately supervised and the morale seems good. During this past year the school has had the heaviest population in history, an average of almost 200 until the month of December when the population was reduced because of the loss of one cottage and the removal of 20 girls. During that period there were a total of 15 escapes. These 15 escapes involved 11 girls. Four girls escaped twice. All but two of the girls have been returned. This escape record compares favorably with other years when the population was smaller and when the staff situation was much better. There is a disciplinary committee composed of the superintendent, head group supervisor and the school principal. Discipline in the cottages is maintained by the house mother. For all minor infractions, the girl is punished by loss of privileges. For serious infractions, the house mother can send a girl to the disciplinary cottage but she must immediately advise the head group supervisor. The length of time a girl stays in the disciplinary cottage depends upon the girl's offense and upon the girl's own attitude. Usually about a week is the length of the stay. For persistent runaways and girls who are habitually incorrigible, the stay may be as long as two months. While in the detention cottage, the girls are assigned to the laundry. The laundry is no longer used primarily as punishment work but there is still too much of a punishment implication in that work assignment. If the laundry were properly equipped, it could be a very much better part of the vocational training program for many of the girls. The routine in the disciplinary cottage is comparatively severe. Girls work about six hours a day in the laundry and are given no recreation. They are given regular meals and are allowed to read but not allowed to converse with one another and are locked in individual rooms after their work is completed.

PSYCHOPATHIC AND DEFECTIVE DELINQUENTS

Approximately 10 per cent of the population falls into the psychopathic and defective delinquent classification. These girls benefit little by the program at Ventura and need special training. This could be provided either in a special unit on the grounds, but apart from the other buildings, or in an institution designed to care for

this type of girl. There are also from 10 to 15 per cent of the girls who are older and whose delinquency records indicate that they need a different type of program than a training school for girls is supposed to offer. If these types could be removed, it would be possible to liberalize the training program for the younger and less serious offenders.

RELEASE PROCEDURE

The placement officers work with the classification committee and the superintendent all of the time the girl is in the school to find a proper placement for her upon release. Many of the girls are placed in work homes. Some of the older girls are placed in industry. The placement work has been more satisfactory than could reasonably be expected due to the heavy case loads carried by the two placement officers who do all of the work and who have to cover the entire State.

PERSONNEL

The personnel condition at Ventura School has been very bad. At the time the committee visited the school, 14 of the staff positions were vacant. There were eight vacancies in the group supervisor classification; two in the stenographic; two in the teaching; there was no gardener; there was no mechanical handyman. Until very recently the superintendent had no one to relieve her or to assist her. Through the cooperation of the Governor and the Department of Finance, an assistant superintendent, who is also to act as the principal of the school, has just been added to the staff and is now on duty. The superintendent has also been given a full-time secretary and that person has just reported for duty. A large part of the time during this past year there has been no one to even write a letter. The bookkeeping is far behind and the records are not in good shape. The people who live in Ventura are able to get high paid war jobs at Hueneme. There is no transportation from the town to the school, which is about 2½ miles away. There are only two cars assigned to the Ventura School and it is impossible to provide transportation for clerical workers or other persons who can not be housed at the institution. Housing at the institution for employees is inadequate. The group supervisors' base pay of \$130 plus \$25, has proven insufficient to either attract or hold competent personnel. Recently the school has been advertising in the Los Angeles papers and has been able to obtain a few additional workers. Unfortunately, it is almost impossible to find the type of person who should be employed. Specialized training and a real interest are essential if results are to be satisfactory. The Youth Authority is making a study of the situation and will recommend a staff reorganization and consideration of the salary scale. A better in-service training program should be inaugurated as quickly as possible.

CONCLUSION

Taking into consideration the fact that the superintendent, during most of the past year, has had to cope with the largest population in the history of the school and at the same time run the institution with a large proportion of untrained staff members, and with many unfilled positions, the condition of the school is surprisingly good. The primary need is for a reorganization of the staff and for the addition of more trained people. An in-service training program is also badly needed. An increased activity program would permit a relaxation in some of the undesirable disciplinary features. The hospital needs to be enlarged and there should be a larger receiving unit in order to give more flexibility to intake. Classification procedure could be definitely improved by the addition of a psychologist and by psychiatric and medical advice. As soon as possible, more medical help must be obtained. The laundry unit needs to be completely remodeled and enlarged, and should not be used for disciplinary purposes but for vocational training. The disciplinary cottage is a disgrace to the State and should be one of the very first things demolished or completely remodeled. There is need for a disciplinary unit. There must be some place where incorrigible, hysterical girls can be segregated from the rest of the children. This place should be so designed that proper supervision could be given, and so designed that it is well lighted, well ventilated and sanitary. There should also be provision for outdoor recreation. The physical plant needs overhauling and the sewer lines are particularly bad.

ASSEMBLY JOURNAL

FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

CONTENTS

	PAGE
DAILY JOURNALS—	
January 27, 1944	1
January 28, 1944	37
January 29, 1944	57
January 30, 1944	87
January 31, 1944	121
SUPPLEMENT TO ASSEMBLY JOURNAL—	
Assembly Final History	165
Assembly Order of Business	165
Officers of the Assembly	165
Members of the Legislature, County and District	166
Diagram of Assembly Chamber	168
Members of the Assembly, Addresses, etc.	170
Officers of the Assembly, Addresses, etc.	171
Attaches of the Assembly, Addresses, etc.	172
Members of the Assembly, District and County	173
Capitol Telephone Exchange	175
Telegraph and Telephone Offices	175
Post Offices	175
Departmental Offices	176
Assembly Measures and Their Authors	178
Recapitulation of Assembly Measures, Their Authors and Committees to Which Referred	181
Assembly Measures Died on Assembly File	184
Assembly Measures Stricken From File in Senate	184
Assembly Bills Approved by the Governor, Chaptered, and Filed With the Secretary of State	185
Assembly Concurrent Resolutions Chaptered and Filed With the Secretary of State	185
Assembly Joint Resolutions Chaptered and Filed With the Secretary of State	186
History of Actions—	
Assembly Bills	187
Assembly Concurrent Resolutions	190
Assembly Constitutional Amendments	192
Assembly Joint Resolutions	193
House Resolutions	197
INDEX TO ASSEMBLY JOURNAL—	
Alphabetical Index	201
Table of Actions on Assembly Measures	231
Assembly Bills	231
Assembly Concurrent Resolutions	231
Assembly Constitutional Amendments	232
Assembly Joint Resolutions	232
House Resolutions	233
Table of Actions on Senate Measures in Assembly	235
Senate Bills	235
Senate Concurrent Resolutions	235
Senate Constitutional Amendments	235
Senate Joint Resolutions	235

CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, January 27, 1944

The Assembly met at 11 a.m., pursuant to the provisions of the Proclamation of His Excellency, Earl Warren, Governor of the State of California, dated January 20, 1944, convening the Legislature of the State of California on this day in extraordinary session.

Arthur A. Ohnimus, Chief Clerk of the Assembly for the Fifty-fifth Session, presiding.

ANNOUNCEMENT

Arthur A. Ohnimus, Chief Clerk of the Assembly, announced that, pursuant to the requirements of the Political Code, Section 237, the following officers of the Assembly of the Fifty-fifth Session of the Legislature were present and in their respective positions: Arthur A. Ohnimus, Chief Clerk; C. William Queale, Minute Clerk; and Wilkie Ogg, Sergeant-at-Arms.

ROLL CALL

Chief Clerk Arthur A. Ohnimus directed the Assistant Clerk to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyon, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—75.

Quorum present.

PRAYER

The following prayer was offered by Rev. Clarence A. Kircher, Chaplain of the Assembly for the Fifty-fifth (Regular) Session:

Almighty God, whose all-seeing eye is graven upon the Great Seal of our beloved Nation, bestow upon the deliberations of this Legislature Thy guidance and Thy blessing. Guard and guide the President of the United States and all who are associated

with him in the prosecution of the war. Bless the Governor of this Commonwealth and the representatives of our people here assembled, that we may find and do Thy holy will.

"Shine forth, O Light, that we may see,
With hearts all unafraid,
The meaning and the mystery
Of things that Thou hast made;
Shine forth and let the darkling past
Beneath Thy beam grow bright;
Shine forth, and touch the future vast
With Thine untroubled light.

Light up Thy word, the fettered page
From killing bondage free;
Light up our way, lead forth this age
In love's large liberty.
O Light of Light, within us dwell,
Through us Thy radiance pour,
That word and life Thy truths may tell,
And praise Thee evermore."

AMEN

PROCLAMATION OF THE GOVERNOR

The Chief Clerk directed the Assistant Clerk to read the Proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Assistant Clerk read the following Proclamation:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO (14), January 20, 1944

*Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
Assembly Chamber, Capitol Building
Sacramento, California*

DEAR MR. OHNIMUS: For your information I am sending you certified copy of a Proclamation calling the Legislature into special session on January 27, 1944, at 11 a.m.

With kindest regards,

Sincerely,

EARL WARREN, Governor

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, hereby certify: That I have compared the annexed transcript with the record on file in my office, of which it purports to be a copy, and that the same is a full, true and correct copy thereof.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this twentieth day of January, 1944.

[SEAL]

FRANK M. JORDAN, Secretary of State

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

Proclamation

WHEREAS, An extraordinary occasion has arisen and now exists requiring that the Legislature of the State of California be convened in extraordinary session; now, therefore,

I, EARL WARREN, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session at Sacramento, California, on Thursday, the twenty-seventh day of January, 1944, at 11 o'clock a.m. of said day for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation amending the Election Laws to provide for and facilitate registration and voting by persons in the armed forces and others absent from their places of residence in time of war, and to change the dates of State-wide elections and the times prescribed for proceedings relating to or connected with such elections.

2. To consider and act upon legislation for the reorganization of the State Criminal, Penal, and Correctional System, and for the government, administration, operation and enforcement thereof; abolishing, reorganizing, and establishing State agencies in that system and redistributing their powers, duties,

and jurisdiction; and exercising the powers granted to the Legislature by Section 7 of Article X of the Constitution.

3. To consider and act upon legislation and a constitutional amendment relating to taxation of property of the United States and receipt of payments in lieu of such taxation.

4. To approve or reject charters and charter amendments of cities, counties, or cities and counties, ratified by the electors pursuant to the Constitution of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twentieth day of January, 1944.

(Signed)

EARL WARREN, Governor of California

[SEAL]

ATTEST: FRANK M. JORDAN, Secretary of State

Endorsed, filed in the Office of the Secretary of State of the State of California January 20, 1944.

FRANK M. JORDAN, Secretary of State
By CHAS. J. HAGERTY, Deputy

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 1

Resolved by the Assembly of the State of California, That the following named persons constitute the officers of the Assembly for the Fifty fifth (Third Extraordinary) Session, with the per diem as fixed by statute or resolution:

Hon. Charles W. Lyon	Speaker
Hon. Thomas A. Maloney	Speaker pro tempore
Arthur A. Ohnimus	Chief Clerk
C. William Queale	Minute Clerk
Wilkie Ogg	Sergeant-at-Arms
Rev. Clarence A. Kircher	Chaplain

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Wollenberg—67.

NOES—None.

OATHS OF OFFICE ADMINISTERED

Hon. Charles W. Lyon, Speaker-elect; Hon. Thomas A. Maloney, Speaker pro tempore-elect; Arthur A. Ohnimus, Chief Clerk-elect; C. William Queale, Minute Clerk-elect; and Wilkie Ogg, Sergeant-at-Arms-elect, took and subscribed to the following oath administered by the Hon. Frank M. Jordan, Secretary of State:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected to the best of my ability.

Speaker Presiding

At 11.11 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

RESOLUTIONS

The following resolutions were offered:

By Mr. Stream:

House Resolution No. 2

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a Committee of Three to inform the Senate that the Assembly is in session pursuant to the Proclamation of His Excellency, the Governor, dated the twentieth day of January, 1944, and ready for the transaction of legislative business, with the following officers, to wit:

Hon. Charles W. Lyon	Speaker
Hon. Thomas A. Maloney	Speaker pro tempore
Arthur A. Ohnimus	Chief Clerk
C. William Queale	Minute Clerk
Wilkie Ogg	Sergeant-at-Arms
Rev. Clarence A. Kircher	Chaplain

Request for Unanimous Consent

Mr. Stream asked for, and was granted, unanimous consent to take up House Resolution No. 2, at this time, without reference to committee.

Resolution read and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs. Stream, Crichton, and Hollibaugh as such Select Committee.

By Mr. Bashore:

House Resolution No. 3

Resolved by the Assembly of the State of California, That a Select Committee of Five be appointed to wait upon His Excellency, the Governor, and inform him that the Assembly is organized and awaits any communication he may have to make to it.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 3, at this time, without reference to committee.

Resolution read and adopted unanimously.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 3, the Speaker announced the appointment of Messrs. Bashore, Robertson, Hastain, Guthrie, and Mrs. Niehouse, as such Select Committee.

By Mr. Sam L. Collins:

House Resolution No. 4

Resolved by the Assembly of the State of California, That until further notice the Standing Rules of the Fifty-fifth (Regular) Session, as adopted January 5, 1943, and as amended on April 17, 1943, be and the same are hereby adopted as the Rules of the Fifty-fifth (Third Extraordinary) Session convened on January 27, 1944.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 4, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth,

Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Johnson, Kellens, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

By Mr. Crowley:

House Resolution No. 5

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants on the proper fund in favor of the following members and officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat.	Distance from county seat, more.	Distance from county seat, less.	Mileage one way.	Total mileage.	Amount at 5 cents per mile.
1	Michael J. Burns	Eureka, Humboldt County	312			312	624	\$31 20
2	Paul Denny	Etna, Siskiyou County	205	37		342	684	33 20
3	Lloyd W. Lowrey	Rumsey, Yolo County	23	36		59	118	5 90
4	Albert M. King	Droville, Butte County	86			86	172	8 60
5	Ernest C. Crowley	Fairfield, Solano County	40			40	80	4 00
6	Allen G. Thurman	Colfax, Placer County	37	17		54	108	5 40
7	Richard H. McCollister	Mill Valley, Marin County	105	8		113	226	11 30
8	Chester F. Gannon	Sacramento, Sacramento County						
9	Earl D. Desmond	Sacramento, Sacramento County						
10	Halold F. Sawallisch	Richmond, Contra Costa County	62	22		84	168	8 40
11	Charles M. Weber	Stockton, San Joaquin County	48			48	96	4 80
12	James E. Thorp	Lockeford, San Joaquin County	48		3	45	90	4 50
13	Francis Dunn, Jr.	Oakland, Alameda County	84			84	168	8 40
14	Randal F. Dickey	Alameda, Alameda County	84	5		89	178	8 90
15	Bernard A. Sheridan	Oakland, Alameda County	84			84	168	8 40
16	Arthur W. Carlson	Piedmont, Alameda County	84			84	168	8 40
17	Edward J. Carcy	Emeryville, Alameda County	84		2	82	164	8 20
18	Gardiner Johnson	Berkeley, Alameda County	84		1	83	166	8 30
19	Bernard W. Brady	San Francisco, San Francisco County	90			90	180	9 00
20	Thomas A. Maloney	San Francisco, San Francisco County	90			90	180	9 00
21	Albert C. Wollenberg	San Francisco, San Francisco County	90			90	180	9 00
22	George D. Collins, Jr.	San Francisco, San Francisco County	90			90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90			90	180	9 00
24	Edward F. O'Day	San Francisco, San Francisco County	90			90	180	9 00
25	Gerald P. Haggerty	San Francisco, San Francisco County	90			90	180	9 00
26	Edward M. Gaffney	San Francisco, San Francisco County	90			90	180	9 00
27	Harrison W. Call	Redwood City, San Mateo County	119			119	238	11 90
28	Raup Miller	Palo Alto, Santa Clara County	128	18		146	292	14 60
29	John F. Thompson	San Jose, Santa Clara County	128			128	256	12 80
30	Ralph M. Brown	Modesto, Stanislaus County	77			77	154	7 70
31	George A. Clarke	Le Grand, Merced County	114	15		129	258	12 90
32	Jacob M. Leonard	Hollister, San Benito County	173			173	346	17 30
33	Fred Weybret	Soledad, Monterey County	208	34		242	484	24 20
34	J. G. Crichton	Fresno, Fresno County	169			169	338	16 90
35	S. L. Heisinger	Fresno, Fresno County	169			174	348	17 40
36	C. L. Guthrie	Porterville, Tulare County	206	28		234	468	23 40
37	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460			460	920	46 00
38	Walter J. Fount	Ventura, Ventura County	490			490	980	49 00
39	Thomas Harold Werdel	Bakersfield, Kern County	278			278	556	27 80
40	William H. Rosenthal	Los Angeles, Los Angeles County	447			447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447		21	426	852	42 60
42	Everett G. Burkhalter	North Hollywood, Los Angeles Co.	447			447	894	44 70
43	C. Don Field	Glendale, Los Angeles County	447		10	437	874	43 70
44	John B. Pelletier	Los Angeles, Los Angeles County	447			447	894	44 70
45	Thomas J. Doyle	Los Angeles, Los Angeles County	447			447	894	44 70
46	Glenn M. Anderson	Hawthorne, Los Angeles County	447	12		459	918	45 90
47	T. Fenton Knight	La Canada, Los Angeles County	447	16		463	926	46 30
48	Lee T. Bashore	Glendora, Los Angeles County	447	26		473	946	47 30
49	Thomas M. Erwin	El Monte, Los Angeles County	447	14		461	922	46 10
50	Elwyn S. Bennett	Los Angeles, Los Angeles County	447			447	894	44 70
51	Jonathan J. Hollibaugh	Huntington Park, Los Angeles County	447	6		453	906	45 30
52	Vernon Kilpatrick	Los Angeles, Los Angeles County	447			447	894	44 70
53	Ernest E. Debs	Los Angeles, Los Angeles County	447			447	894	44 70
54	Frank J. Waters	Los Angeles, Los Angeles County	447			447	894	44 70
55	Charles W. Lyon	Beverly Hills, Los Angeles County	447	8		455	910	45 50

District	Name	Address	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	--	447	894	\$44 70
61	Lester A. McMillan	Los Angeles, Los Angeles County	447	--	447	894	44 70
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	--	447	894	44 70
63	Don A. Allen	Los Angeles, Los Angeles County	447	--	447	894	44 70
64	John C. Lyons	Los Angeles, Los Angeles County	447	--	447	894	44 70
65	John W. Evans	Los Angeles, Los Angeles County	447	--	447	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	--	447	894	44 70
67	Clayton A. Dills	Gardena, Los Angeles County	447	11	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	470	940	47 00
69	Ralph C. Dills	Compton, Los Angeles County	447	18	465	930	46 50
70	Lorne D. Middough	Long Beach, Los Angeles County	447	22	469	938	46 90
72	R. Fred Price	Ontario, San Bernardino County	508	--	485	970	48 50
73	Douglas P. Armstrong	Redlands, San Bernardino County	508	9	517	1,034	51 70
74	Clyde A. Watson	Orange, Orange County	481	--	481	962	48 10
75	Sam L. Collins	Fullerton, Orange County	481	11	470	940	47 00
76	Nelson S. Dilworth	Hemet, Riverside County	512	34	546	1,092	54 60
77	Harvey E. Hastain	Brawley, Imperial County	661	--	646	1,292	64 60
78	Frederick H. Kraft	San Diego, San Diego County	573	--	573	1,146	57 30
79	Kathryn T. Nichouse	San Diego, San Diego County	573	--	573	1,146	57 30
80	Charles W. Stream	Chula Vista, San Diego County	573	10	583	1,166	58 30

Name	Address	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A. Ohninus	San Francisco, San Francisco County	--	--	470	940	\$94 00
C. William Queale	Fullerton, Orange County	481	11	470	940	94 00
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	--	--

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 5, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crowley, Debs, Denny, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Hawkins, Heisinger, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Desmond and Gannon—2.

By Mr. Field:

House Resolution No. 6

Resolved by the Assembly of the State of California. That all of those persons who have filed their credentials and are duly recognized as representatives of the publications set opposite their names for the Fifty fifth (Regular) Session are hereby recognized as the representatives of these publications for this Third Extraordinary Session.

Request for Unanimous Consent

Mr. Field asked for, and was granted, unanimous consent to take up House Resolution No. 6, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Evans:

House Resolution No. 7

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby directed to procure from the State Purchasing Department on requisition, for the use of the Members of the Assembly, all necessary stationery and supplies.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 7, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

COMMITTEE FROM THE SENATE

Senators Crittenden, Breed, and Salsman appeared before the bar of the Assembly, and announced that the Senate had organized and was now ready to proceed with the regular business.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 8

Resolved by the Assembly of the State of California, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred dollars (\$100) said amount being for the payment of postage, telegraphing, expressage and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 8, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor reported that it had been cordially greeted by the Governor who requested that the Committee extend his greetings to the Assembly and his congratulations upon its organization.

The Select Committee appointed to wait upon the Senate reported that the Senate was organized, and ready to proceed with the regular business.

RESOLUTIONS

The following resolutions were offered :

By Mr. T. Fenton Knight :

House Resolution No. 9

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same :

Siebrecht's (flowers Eleanor Miller funeral) -----	\$20 50
Bureau of Purchases (supplies) -----	11 31
Department of Finance (covering chairs) -----	326 81

Request for Unanimous Consent

Mr. T. Fenton Knight asked for, and was granted, unanimous consent to take up House Resolution No. 9, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote :

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton ; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nicholson, O'Day, Pelletier, Price, Robertson, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wendel, Weybret, Wollenberg, and Mr. Speaker—70.

NOES—None.

By Messrs. Lyon, Burkhalter, Maloney, and Stream :

House Resolution No. 10

Relative to commendation of Members of the Assembly serving in the armed forces of the United States.

WHEREAS, Certain Members of this Assembly are serving in the armed forces of the United States; and

WHEREAS, The Members of the Assembly of the State of California regret their absence at this special session, but are proud of the worthy manner in which they are performing their duty to their Country in its time of need ; now, therefore, be it

Resolved by the Assembly of the State of California, That this resolution is adopted as an expression of our regret at their absence and of our pride in the services they are performing in the armed forces of their Country.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 10, at this time, without reference to committee.

Resolution read, and adopted unanimously.

By Messrs. Collins, Sam L., and Doyle :

House Resolution No. 11

WHEREAS, It has been the custom, to have the portraits of California's former Governors painted, and these paintings exhibited in the halls of the Capitol ; and

WHEREAS, It would make an interesting and historical addition to the Capitol to have the photographs of the former Speakers of the Assembly placed in a frame and hung on the wall of the Speaker's Office ; and

WHEREAS, This Assembly takes pride in the knowledge that so many of its former Speakers have achieved further distinction in public and private affairs ; now, therefore, be it

Resolved, That a Committee of Three be appointed by the Speaker of the Assembly to confer with the State Printer to ascertain the best procedure for obtaining the photographs of all former Speakers of the Assembly, and the most suitable arrangement and manner for placement of these pictures in a frame ; and be it further

Resolved, That the State Printer is hereby authorized and directed to make suitable reproductions of the photographs of all former Speakers of the Assembly and have them placed in an appropriate frame, to be hung on the wall of the Speaker's Office.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 11, at this time, without reference to committee.

Resolution read and adopted.

APPOINTMENT OF STANDING COMMITTEES

The Speaker announced that the standing committees of the Fifty-fifth (Regular) Session would be the standing committees of the Fifty-fifth (Third Extraordinary) Session.

RECESS

At 11.26 a.m., on motion of Mr. Desmond, the Assembly recessed until 11.40 a.m., to hear from Mr. Frank Rayns, Director of the Norfolk Agricultural Station and Executive Officer to the Norfolk War Agricultural Executive Committee, of Sprowston, Norwich, England.

REASSEMBLED

At 11.40 a.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Lyon:

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO (2), CALIFORNIA, November 22, 1943

To the Members of the Senate and the Assembly

Enclosed is a copy of a summary of my opinion of November 12, 1943, to Honorable Gardiner Johnson, on the subject of reimbursable expenses of members of Interim Legislative Committees, with reference particularly to the per diem in lieu of expenses and the function of the committee chairman as auditor and approver of the member's claim for reimbursement.

Mr. Johnson has requested me to send a copy of this summary to each Member of the Legislature.

Yours very truly,

FRED B. WOOD, Legislative Counsel

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, November 22, 1943

Honorable Gardiner Johnson
310 Sansome Street
San Francisco (4), California

REIMBURSEMENT OF EXPENSES INCURRED BY MEMBERS OF INTERIM LEGISLATIVE COMMITTEES—156

DEAR MR. JOHNSON: This is a summary of my opinion of November 12, 1943, to you on this subject:

1. *As to the scope of the committee chairman's authority and responsibility in auditing and certifying claims:*

The question asked is whether or not it is the function of the State Controller to audit such a claim in the sense of substituting his judgment for that of the committee chairman as to the amount due as reimbursement in respect to miles traveled or for expenses actually paid or for the per diem allowance in lieu of expenses actually paid when a claim sworn to by the member and approved and certified by the chairman is presented to the Controller for payment.

It is my opinion that it is not the function of the Controller so to do.

Joint Rule 35 is definite and clear. It says that "the chairman * * * shall audit and approve," that he "shall certify the amount approved to the Controller," and that "the Controller shall draw his warrants upon the certification of the chairman."

Rule 35 has the rating of a statute because adopted pursuant to express grant of constitutional authority (Sec. 17 of Article IV) by resolution to "provide for the payment of the expenses necessarily incurred by any such committee or the members thereof." It is true that a certain provision of Section 3 of the Budget Act of 1943 may require itemization of claims for such expenses but that does not take from the committee chairman the duty and authority which Rule 35 vests solely in him of auditing, approving and certifying.

2. *As to the per diem allowance in lieu of actual expenses:*

The question asked is whether or not a member must incur expenses for living accommodations as well as for meals and whether the \$10 per diem is divisible so as to allow \$5 per day in lieu of actual expenses for meals when expenses are incurred for meals but not for living accommodations.

It is my opinion that both questions should be answered in the negative.

Whenever the \$10 per diem in lieu of actual expenses is allowable, it is allowable in the exact sum of \$10, no more and no less. Joint Rule 35 is definite and clear as to that.

Nor do I consider that the in lieu allowance clause in all cases requires a member to have incurred expenditures both for living accommodations and for meals. The in lieu clause is an independent provision, an alternative method of reimbursement, a method of computing the amount necessary to reimburse a member without requiring the keeping of detailed records of expenditures. It represents a finding by the Legislature that \$10 per day is a reasonable amount to allow.

The committee chairman is charged with the duty and responsibility of deciding when the per diem is allowable. The chairman will determine whether a member rendered committee services upon a particular day and whether he did so under circumstances that make the in lieu clause applicable. There will be many varying sets of such circumstances, impracticable to set forth in detail in a rule, presumably the reason why the Legislature expressed the rule in general terms and instructed the committee chairman, as its representative, to administer and apply it.

Yours very truly,

FRED B. WOOD, Legislative Counsel

Also:

(COPY)

OFFICE OF LEGISLATIVE COUNSEL

SACRAMENTO (2), CALIFORNIA, October 21, 1943

*Honorable Charles W. Lyon
1125 Stock Exchange Building
Los Angeles, California*

AUTHORS' NAMES ON BILLS—160

DEAR MR. LYON: This is in response to your request concerning the possibilities of giving legislative bills a name which would identify them as being sponsored by both an Assemblyman and a Senator. The result of such a process would be to identify California statutes in much the same way as Federal statutes, such as the Smith-Connally Act, are identified.

Apparently there is no specific rule in Congress under which such bills become identified by the names of their sponsors. Apparently they become so identified when identical bills of the House and the Senate are heard in committee at the same time and only one of the bills comes out. In that case the record shows that both bills were heard but there appears to be no formal process whereby the bill becomes officially identified by the names of the authors of the two original bills.

There are several methods whereby a California bill could be identified by the names of a Senator and an Assemblyman.

This could be done in the heading of the bill, that is, in that part of the bill which precedes the title. This part of a bill now contains the bill number, a statement that the bill was introduced by a given member or members, and a statement of the name of the committee to which the bill is referred.

The style and content of the heading appears to be entirely a matter of legislative rule or practice, and could be varied so as to show that a bill in one house was sponsored by a member of the other house.

We believe that it would be somewhat incongruous for an Assembly bill to contain a notation that it was "introduced" by a Senator. However, a Senator's name could be placed in the heading of such a bill without saying that it was actually introduced by him.

For example, the heading of a bill reading "Assembly Bill No. 1 (The Smith-Jones Bill)" introduced by Mr. Smith" would create no constitutional difficulties.

There is precedent for noting in the heading that a bill is introduced at request or at the request of a specific organization. Consequently an Assembly bill could carry a heading "Assembly Bill No. 1. Introduced by Mr. Smith (at the request of Senator Jones)." The parenthetical statement could be changed to read "sponsored by Senator Jones" without encountering any legal difficulties.

Any one of the above devices would get the names of both members in the heading of the bill for purposes of identification, but would not amount to giving the bill an official short title since the names of the members would not appear in the statute as finally chaptered.

It is legally possible to give a statute an official short title containing the names of the sponsors. For example, Chapter 941 of the Statutes of 1941 has the official short title "The Burns-Biggar Act." That act is so designated in the text of the statute itself. A similar result could be obtained by putting the names in the title of the measure. For example, the title of an act could commence "An act to be known as the Burns-Biggar Act to amend * * * ." One difficulty which would arise from putting the authors' names either in the title or the text of the statute would be that the official short title would not be at all descriptive of the contents of the statute. Short titles such as The Personal Income Tax Act or The Retail Sales Tax Act indicate the general subject of the act so that when they are amended there is usually no difficulty in having the title of the amendatory act express the subject of the amendatory act. In the case of an act amending by its short title an act identified only by the names of the sponsors, care would have to be taken to express the subject of the amendatory act in the relating clause in the title.

If the device is adopted of getting the names of the sponsors into the heading of the bill without putting it either in the title or text of the resulting statute, there would be no difficulty in the case of subsequent amendatory acts. It would be possible in such a case to give the act itself an official short title descriptive of the subject of the act. For example, in the bill it could be shown in the heading that it was sponsored by a member of each house and in the text of the bill the statute could be given an official short title such as "The Personal Property Brokers Act."

It seems to us that it would be preferable to get the names of the members into the heading of the bill rather than into the title or the text of the resulting statute. This could be covered by the Rules.

Perhaps some consideration should be given to devising a rule to protect a member of one house from having his name used in connection with a bill with which he might not be in sympathy. This could be covered by rule requiring a member who uses the name of a member of the other house in connection with a bill to have the formal consent of such other member.

We trust that the foregoing will prove of some suggestive value to you.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Chief Deputy

(COPY)

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO (2), CALIFORNIA, November 4, 1943

Honorable Charles W. Lyon
1125 Stock Exchange Building
Los Angeles, California

AUTHORS' NAMES ON BILLS—160

DEAR MR. LYON: We thank you for your kind letter of October 26th, relating to the above numbered request.

We observe that we did not specifically answer your inquiry as to whether a bill in one house, introduced by a member from each of the houses, would constitute one of the two bills a member is allowed to introduce after the constitutional recess pursuant to Section 2 of Article IV of the Constitution.

The pertinent provision of said Section 2 reads:

"On the reassembling of the Legislature, no bill shall be introduced in either house without the consent of three-fourths of the members thereof, nor shall more than two bills be introduced by any one member after such reassembling."

Inasmuch as this provision uses the term "introduced" there would be a distinct danger that it could be made applicable even to a bill which stated that it was introduced by a member in the house opposite to the one in which he was a member.

By avoiding the use of the word "introduced" the entire problem can be avoided. We believe that any of the following forms of expression would be entirely legal and would encounter no constitutional inhibition:

"Introduced by Mr. Smith and sponsored by Senator Jones."
"Introduced by Mr. Smith (sponsored by Senator Jones)."
"Introduced by Mr. Smith (by request of Senator Jones)."
"The Smith-Jones Bill", introduced by Mr. Smith."

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Chief Deputy

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA
December 21, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
Assembly Chamber, Sacramento, California*

This to advise you that I have appointed the following committee to attend the funeral of Miss Eleanor Miller at The First Methodist Church in Pasadena on Wednesday, December 22d, at 2 p.m.:

Messrs. Knight, T. Fenton (Chairman); Doyle, Kellem, Field, Bashore, and former member Kent Redwine.

On behalf of the Assembly, please order a suitable floral piece sent to the church where the services for Miss Miller will be held.

Sincerely yours,

CHARLES W. LYON
Speaker of the Assembly, Fifty-fifth Session

Also:

A communication from Bancroft-Whitney Company, relative to price on the 1943 Revised Edition of Deering's California Codes and General Laws, was received, and ordered referred to the Committee on Rules and House Functions.

Also:

The following communications were received, read, and ordered printed in the Journal:

May 26, 1943

*Mr. Arthur Ohnimus, Chief Clerk
California Legislature, Fifty-fifth Session, Assembly
Sacramento, California*

DEAR MR. OHNIMUS: Acknowledging your letter of May 25, 1943.

Please accept my sincere thanks. I have been more than moved with the kind expression contained in your letter, and words failed me to express to you, and, through you to the Legislature, my sincere gratitude for the respect and tribute rendered to my late husband, the Honorable Judge Hugh L. Smith.

Again thank you, and, through you, the many friends of Judge Smith, who so generously paused to pay respect to my husband.

With very best wishes to you, I am,

Sincerely yours,

MRS. GRACE O. SMITH
(Mrs. Hugh L. Smith)

Also:

A communication from Mary Connor, Secretary to Senator Hiram Johnson, acknowledging receipt of Assembly resolution wishing the Senator a speedy recovery from illness, was received and ordered filed with the Secretary of State.

Also:

The following communications were received, read, and ordered printed in the Journal:

UNITED STATES SENATE, August 2, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento (14), California*

DEAR MR. OHNIMUS: I acknowledge due receipt of your recent letter and of House Resolution No. 273 which was adopted by the Assembly on May 5, 1943, expressing the regret of the Assembly in my illness. I was very deeply touched by this action of the Assembly. Will you please express to the members who participated in this resolution my very great appreciation and my thanks.

Thanking you very much for your kind letter, with my fond regards, I am

Sincerely yours,

HIRAM W. JOHNSON

Also:

A communication from Mary Connor, Secretary to Senator Hiram Johnson, acknowledging receipt of Assembly resolution of congratulations to former Governors of California, was received and ordered filed with the Secretary of State.

Also:

The following communication was received, read, and ordered printed in the Journal:

UNITED STATES SENATE, August 2, 1943

Mr. Arthur A. Ohnimus, Chief Clerk

California Legislature, Sacramento (14), California

MY DEAR MR. OHNIMUS: Thank you very much for your kind note of recent date transmitting to me Resolution No. 194 in which the Assembly extended its congratulations to former Governors of California on their birthdays. I very greatly appreciate this action on the part of the Assembly, and send them my very great thanks.

With my personal regards to you, I am

Sincerely yours,

HIRAM W. JOHNSON

Also:

BERKELEY, CALIFORNIA, June 18, 1943

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: You must pardon me for having delayed so long in the acknowledgment of the very handsomely printed resolution of the Assembly, reminding us of the apparent longevity of former California Governors. The job of being Governor must be a good deal less wearing than that of President; for, whereas there is only one living ex-President, there seem to be six of us.

At any rate, please convey to the Assemblymen primarily responsible for this resolution, my due appreciation for having been thus remembered, and convey to the State Printing Office my congratulations on a very beautiful piece of work from their press.

With best personal regards, I am

Yours very sincerely,

C. C. YOUNG

Also:

LOS ANGELES, June 14, 1943

Arthur A. Ohnimus
Chief Clerk, Sacramento

DEAR MR. OHNIMUS: Your letter came on the 12th, and the heavy package this morning.

The California Assembly has greatly honored the six living former Governors of California, and as one of them I hasten to express my sincere appreciation for the enduring set of resolutions received today. It is a fine product of the printer's art, and of it I shall always be very proud.

Yours truly,

WM. D. STEPHENS

Also:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 12, 1943

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: The Governor has asked me to let you know the necessary plans have been laid for California's sponsorship of the U. S. 13th Armored Division as called for in Assembly Joint Resolution No. 52.

A suitable Proclamation soon will be issued and transmitted to General John B. Wogan, Commanding General, at Camp Beale, California, apprising the citizens of California of this sponsorship. The ceremonies are to be conducted at the camp on July 4th.

Sincerely yours,

VERNE SCOGGINS, Press Secretary

Also:

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

SAN FRANCISCO, CALIFORNIA, July 20, 1943

MY DEAR MR. OHNIMUS: On behalf of my brothers and myself, permit me to express to you our heartfelt gratitude for your kind thoughtfulness in sending me a copy of the resolution in memory of our beloved brother, Monsignor Francis P. McElroy. It is most consoling to us to know that the fruits of his labors have been appreciated, and that the Assembly was so considerate as to pause in their busiest period in enacting wartime legislation to pay tribute to the life and work of our brother.

Please convey to the Honorable Assemblymen Gerald P. Haggerty, Richard H. McCollister, Thomas A. Maloney, Edward F. O'Day, and Charles W. Lyon our deepest appreciation of their kindness in presenting this resolution.

Again thinking you, I am

Very sincerely yours,

ANNA E. MANNING
(Mrs. Thomas R. Manning)

Also:

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Fifty-fifth Session
Sacramento (14), California

ST. VINCENT'S SCHOOL FOR BOYS
SAN RAFAEL, CALIFORNIA, July 17, 1943

DEAR MR. OHNIMUS: In this morning's mail we received two embossed copies of House Resolution No. 210, relating to the death of the Rt. Rev. Msgr. Francis P. McElroy.

On behalf of the Faculty and Student Body of St. Vincent's School, I wish to express my most sincere thanks to the Fifty-fifth Session of the California Legislature Assembly.

Sincerely yours,

ST. VINCENT'S SCHOOL FOR BOYS
REV. WILLIAM M. BURKE, Director

By Speaker Lyon:

LOS ANGELES, CALIFORNIA, July 19, 1943

Honorable Charles W. Lyon
Honorable Thomas A. Maloney
Honorable Clyde A. Watson
Honorable Charles M. Weber
Assembly Chamber, Sacramento, California

GENTLEMEN: Miss Bernardine Murphy wishes me to acknowledge for her the stately tribute to her father, the late Daniel Murphy, which is engrossed in the resolutions presented by yourselves to the Assembly of the State of California at its session recently closed, and unanimously adopted by that body. Miss Murphy especially appreciates the tribute to her father, so gracefully expressed in the resolutions, and no less the sentiments of respect and affection which prompted you to invite the attention of the Assembly to the patriotic, civic, and social accomplishments of one whose life from early manhood was identified and interwoven with the development, prestige, and honor of the American Southwest.

Miss Murphy also notes very appreciatively the suggestion already conveyed to Admiral Emory S. Land, Chairman of the Maritime Commission, that a ship to be constructed for the Navy Department by Los Angeles Shipbuilding & Drydock Company at Los Angeles Harbor be named for her father. If the suggestion receives favorable response, Miss Murphy will be very happy to take an appropriate part in the launching ceremonies.

With assurance of much respect, I am,

Very sincerely,

RICHARD J. DILLON

By the Chief Clerk:

UNIVERSITY OF CALIFORNIA, MUSEUM OF PALEONTOLOGY
BERKELEY, CALIFORNIA, June 18, 1943

Arthur A. Ohnimus, Chief Clerk of the Assembly

MY DEAR MR. OHNIMUS: I am deeply grateful to you for sending me a copy of the resolution of the Assembly issued in memory of my father, Edgar W. Camp.

My father treasured the memory of his service in the Assembly, and this tribute which the Assembly has paid him is indeed appreciated.

Very gratefully yours,

CHAS. L. CAMP

Also:

BAKERSFIELD, CALIFORNIA, June 16, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk, Assembly
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: It is hard to translate to you the mingled emotions of pride and humility with which I read the beautifully printed resolution to the memory of my father, Edgar W. Camp.

I deeply appreciate this expression of sympathy by the Members of the Assembly for our loss, and shall long cherish this tangible evidence of the regard in which my father was held.

It was his wish that no monument be erected to his memory, so it is more than gratifying to know that the memory of him has erected its own monument in the hearts of those with whom and for whom he has served.

May I, through you, express to the Assembly of the California Legislature in Fifty-fifth Session my appreciation of their action and deepest thanks for this beautifully printed and thoughtfully worded resolution.

In heartfelt gratitude, I am,

Sincerely yours,

DOROTHY C. NOURSE

Also:

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE, WASHINGTON, June 5, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: Mr. Salyer has sent me a copy of his letter to you of May 24, with a copy of House Resolution No. 296, memorializing the Office of Price Administration to allow supplemental gas to deer hunters.

This matter already has been considered here, but I regret to inform you that, because of the gasoline demands by the armed services, there is, at present, little possibility that favorable action can be taken on this request. The situation may, of course, improve, but the outlook at this time does not indicate this will be likely.

This Service feels that because of its high recreational values and also because of the food that is produced, hunting of all kinds is fully justified. You may therefore be assured that we will do all we can, but I also am sure that all sportsmen will agree that the needs of the Army and Navy must have first consideration.

Sincerely yours,

IRA N. GABRIELSON, Director

Also:

A communication from Ed Fugitt, Secretary to Congressman Gearhart, enclosing letter from Albert M. Day, Acting Director, Fish and Wildlife Service, relative to opening Sheepy Lake area to public hunting, and acknowledging receipt of Senate Joint Resolution No. 9, was received and ordered filed with the Secretary of State.

Also:

The following communications were received, read, and ordered printed in the Journal:

WAR FOOD ADMINISTRATION
OFFICE OF THE ADMINISTRATOR, WASHINGTON, May 25, 1943

*Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
California Legislature, Sacramento, California*

DEAR MR. OHNIMUS: This is to acknowledge receipt of the copies of Assembly Joint Resolutions Nos. 44 and 45, adopted by the California Legislature on May 3, 1943.

Believe me, I am deeply grateful to the California Legislature for this recognition of Mr. Tapp's great ability and the service he is rendering at no small self-sacrifice. Please assure your associates of my appreciation.

I am bringing Resolution No. 45 to the attention of Lt. Col. J. L. Taylor, deputy in charge of the labor program for this Administration.

Sincerely yours,

CHESTER C. DAVIS, Administrator

Also:

WAR FOOD ADMINISTRATION
OFFICE OF THE ADMINISTRATOR, WASHINGTON, May 31, 1943

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
California Legislature, Sacramento, California

DEAR MR. OHNIMUS: This will acknowledge your letter of May 18th, transmitting a copy of Assembly Joint Resolution No. 44. I am deeply appreciative of the sentiments which prompted the California Legislature to pass this joint resolution. The problems of a Californian in Washington in these days are difficult at best, and it is highly encouraging to feel that one has the support of his former associates in dealing with them.

Kindest regards.

Sincerely yours,

JESSE W. TAPP, Associate Administrator

Also:

NAVY DEPARTMENT, BUREAU OF NAVAL PERSONNEL
WASHINGTON, D. C., May 21, 1943

Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California

MY DEAR MR. OHNIMUS: Replying to your letters of May 5, 1943, addressed to the President of the United States, and to the Secretary of the Navy, it gives me great pleasure to advise you that the name LONG BEACH, in honor of Long Beach, California, has recently been assigned to a frigate.

This vessel was launched at the plant of the Consolidated Steel Corporation, Wilmington, California, on May 5, 1943.

The interest of the Legislature of the State of California in this matter is appreciated.

Very truly yours,

RANDALL JACOBS, Rear Admiral, U.S.N.
The Chief of Naval Personnel
C. C. BAUGHMAN, Captain, U.S.N.
Director of Special Activities, By direction

Also:

NAVY DEPARTMENT, BUREAU OF NAVAL PERSONNEL
WASHINGTON, D. C., May 28, 1943

Arthur A. Ohnimus, Chief Clerk
California Legislature, Sacramento, California

MY DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of May 18, 1943, in which you enclosed a copy of pages 3356 and 3357 taken from the Assembly Journal of May 5, 1943, in which appears House Resolution No. 246, adopted on that date.

The Bureau is pleased to advise you that the name SAN PEDRO has recently been assigned to a frigate which is under construction at the plant of the Consolidated Steel Corporation, Wilmington, California.

The Mayor of the City of Los Angeles, California, has been requested to nominate a sponsor for this vessel which is scheduled to be launched May 31, 1943.

The interest of the California Legislature in this matter is appreciated.

Very truly yours,

RANDALL JACOBS, Rear Admiral, U.S.N.
The Chief of Naval Personnel
C. C. BAUGHMAN, Captain, U.S.N.
Director of Special Activities, By direction

Also:

A communication from Arthur Rypdahl, Secretary, San Pedro Junior Chamber of Commerce, relative to House Resolution No. 246 and naming of frigate "U. S. S. San Pedro," was received and ordered filed with the Secretary of State.

Also:

The following communications were received, read, and ordered printed in the Journal:

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD PRODUCTION ADMINISTRATION
WASHINGTON, D. C., May 5, 1943

Mr. Arthur A. Ohnimus, Chief Clerk, California Legislature
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: We regret the delay in answering your letter of March 29th, with which you enclosed a copy of page 1267 of the March 26, 1943, "Assembly

Journal," indicating the adoption of House Resolution No. 135, relative to disposition of farm equipment now owned by Japanese evacuees in California.

Mr. Dillon Myer, Head of the War Relocation Authority here in Washington, has been working with this problem and informs us that there are still many individual items of farm equipment stored in California. In light of the present farm equipment shortage, we feel that this idle equipment is most significant and should be released at the earliest possible date to farmers who have a need for it.

You will be interested to know that the War Food Administration is now working with appropriate Governmental agencies to see that all idle farm equipment is requisitioned for sale to farmers who have the most urgent need for it. It is proposed that this authority be exercised only when a purchaser has been located and when he is willing to pay a fair price for a particular item.

Thank you for bringing this matter to our attention.

Very truly yours,

PAUL L. HENRY, Chief
Production Equipment Division

Also:

WAR PRODUCTION BOARD
WASHINGTON, D. C., May 5, 1943

*California Legislature, Assembly Chamber
State Capitol, Sacramento, California*

ATTENTION: ARTHUR A. OHNIMUS, CHIEF CLERK

GENTLEMEN: The War Production Board accepts with thanks a copy of Assembly Joint Resolution No. 2 adopted by the California Legislature on April 17th. We also have your letter with similar enclosure addressed to the Office of Production Management which was referred to this office. The Office of Production Management was abolished late in 1941.

We are pleased to report that the production of hearing aid devices and hearing aid batteries has been and is currently being given the serious consideration of the War Production Board. No limitations have been placed on the manufacture of hearing aid instruments and their distribution is not under priority control. Producers of hearing aids are given the highest civilian priority assistance issued by any division in the War Production Board.

Appropriate information is being compiled for press release to better acquaint the public with the fact that restrictive measures on the production of hearing aids are not in effect at this time but that full priority assistance is available for their production. The most reliable information available to this agency indicates that there is no scarcity of hearing aid instruments in any community in continental United States.

Yours very truly,

HOWARD A. PRINGLE, Chief
Medical & Dental Supplies Section
Safety & Technical Equipment Division

Also:

A communication from Dudley P. Felt, Director Consumers Durable Goods Division, War Production Board, Washington, D. C., relative to hearing aid devices, was received and ordered filed with the Secretary of State.

Also:

The following communication was received, read, and ordered printed in the Journal:

SACRAMENTO CHAMBER OF COMMERCE
SACRAMENTO, CALIFORNIA, June 19, 1943

Mr. Arthur A. Ohnimus, Chief Clerk
*California Assembly
State Capitol, Sacramento, California*

MY DEAR MR. OHNIMUS: Happy to acknowledge receipt of your letter of the 18th and to state that the fine engrossed copy of Resolution No. 94 adopted by the Assembly arrived by messenger yesterday afternoon.

I will take particular pleasure in presenting this to our board of directors at their next meeting, and I can assure you that it is our desire at all times to extend every possible courtesy to Members of the Legislature and, further, I also appreciate your exceptionally cordial cooperation.

Sincerely,

A. S. DUDLEY, Secretary-Manager

Also:

A communication from the Golden Rule Foundation expressing appreciation for Assembly resolution; enclosing copy of the Golden Rule Fellowship Magazine, and requesting California's cooperation in Loyalty Day program, was received and ordered filed with the Secretary of State.

Also:

A communication from the House of Representatives, State of Illinois, enclosing resolution, petitioning Congress to refuse to enact any legislation changing fundamental concept of the constitutional form of American Government, was received, and ordered filed with the Secretary of State.

Also:

A communication from M. J. McDermott, Department of State, Washington, acknowledging receipt of House Resolution No. 232 (protesting restrictions placed upon press at United Nations Conference on Food and Agriculture), and enclosing letter from Cordell Hull relative thereto, was received and ordered filed with the Secretary of State.

Also:

A communication from D. E. Harding of Oakland, relative to Assembly Bill No. 660, was received and ordered filed with the Secretary of State.

Also:

A communication from Edward Hyatt, State Engineer, relative to Engineer's Report No. A-132, was received and ordered filed with the Secretary of State.

Also:

A communication from Wm. McGee, California Pensioner's Union 1, of Santa Cruz, relative to interpretation of Section 2008.5 of the Welfare and Institutions Code, was received and ordered filed with the Secretary of State.

Also:

A communication from Mrs. R. T. Ludlow, Corresponding Secretary, Woman's Club of Burbank, relative to juvenile delinquency, and requesting action be taken to prevent mothers of young children from working, was received and ordered filed with the Secretary of State.

Also:

A communication from N. G. Burleigh, War Production Board, Washington, relative to Assembly Joint Resolution No. 46 (relating to repair shops dealing with agricultural machinery), and enclosing CMP Regulation No. 5, was received and ordered filed with the Secretary of State.

Also:

A communication from K. Perkiss, Secretary, Six County Council of Townsend Clubs, expressing appreciation to Members of the Assembly for work done in behalf of senior citizens, was received and ordered filed with the Secretary of State.

Also:

A communication from Elsie Martinez of Carmel, expressing appreciation for Assembly resolution of sympathy on passing of Xavier Martinez, was received and ordered filed with the Secretary of State.

Also:

The following communications were received, and ordered printed in the Journal, and the reports transmitted therewith ordered filed with the Secretary of State:

DEPARTMENT OF PUBLIC WORKS,
SACRAMENTO, May 21, 1943

Honorable Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, 2d Extra Session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-130 County of Lassen, File No. Las. 40-4
Bridge Repairs

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

DEPARTMENT OF PUBLIC WORKS,
SACRAMENTO, May 26, 1943

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, 2d Extra Session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-133 County of Tulare, File No. Tul. 40-5
County Bridges

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, June 1, 1943

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT: Filing of State Engineer reports pursuant to Chapter 1, Statutes 1940, 2d Extra Session, as amended.

DEAR SIR: Handed you herewith for filing is the following report of the State Engineer:

A-134 County of Fresno, File No. Fre. 40-1
Centerville Bottoms

This report is on an application filed under authority of said Chapter 1, Statutes of 1940, as amended, and is transmitted to you pursuant to the requirements of Section 1 thereof.

Very truly yours,

EDWARD HYATT, State Engineer
By A. D. EDMONSTON, Deputy State Engineer

Also:

A communication from C. M. Morrison, Secretary of State, Commonwealth of Pennsylvania, enclosing J.R. 6 of the Pennsylvania Legislature, relative to amending the Federal Constitution to prohibit the

imposition of conditions upon grants of moneys and rebates of taxes in certain cases, was received and ordered filed with the Secretary of State.

Also:

A communication from E. E. Walton of Marin City, relative to freedom of rights for colored people, was received and ordered filed with the Secretary of State.

PETITIONS

By Speaker Lyon:

A petition from Margaret Wood Jalonick, Dallas, Texas, relative to horse slaughtering plants in California, was received and ordered filed with the Secretary of State.

RECESS

At 11.44 a.m., the Speaker announced that the Assembly would be recessed to meet with the Senate in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER

SACRAMENTO, THURSDAY, January 27, 1944

At 11.45 a.m., the Senate and the Assembly met in Joint Convention.

SENATE ROLL CALL

Hon. Frederick F. Houser, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Burns, Collier, Crittenden, Cunningham, DeLap, Deuel, Dillinger, Donnelly, Dorsey, Fletcher, Gordon, Hatfield, Jepsen, Judah, Keating, Luckey, Mayo, McBride, McCormack, Mixer, Parkman, Powers, Quinn, Rich, Salsman, Seawell, Shelley, Slater, Swan, Swing, Tenney, Tickle, and Ward—36.

The President declared a quorum of the Senate present.

ASSEMBLY ROLL CALL

Hon. Charles W. Lyon, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

The Speaker declared a quorum of the Assembly present.

REGULAR ORDER OF BUSINESS

APPOINTMENT OF SELECT COMMITTEES

The President announced the appointment of Senators Seawell, Chairman; Delap, and McBride as the Senate Committee to escort Governor Warren to the Joint Convention.

The Speaker announced the appointment of Messrs. Heisinger, Berry, Hawkins, and Armstrong as the Assembly Committee to escort Governor Warren to the Joint Convention.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 99

The Speaker announced that, by unanimous consent, Assembly Rule No. 99 would be temporarily suspended for the purpose of permitting the Members' guests to be present on the floor of the Assembly during the Joint Convention.

PRESENTATION OF THE GOVERNOR

Hon. Charles W. Lyon, Speaker of the Assembly, presented Governor Earl Warren to the Joint Convention.

ADDRESS BY THE GOVERNOR

Governor Warren then proceeded to address the Joint Convention as follows:

Remarks by Governor Earl Warren

Mr. Speaker, Lieutenant Governor Houser, and Members of the Senate and Assembly.

I have asked you to meet in special session on this occasion because there are four matters of vital importance to our State which in my opinion are the work of this Legislature, and should not be postponed until the Fifty-sixth Regular Session. As you might well imagine, the mere suggestion of the call brought forth requests for the inclusion of numerous matters which, in the aggregate, could have consumed as much of your time as a regular session. Many of these matters were important, and some contained an element of urgency, but, in order to conserve your valuable time, I have limited the call to the following four matters which are vital both from the standpoint of time and subject matter:

Among the matters which I seriously considered for the call is that of returning to Standard Time from War Time. Many individuals and groups have urged me to take such action because of the inconveniences involved in living under the present system. I am convinced that it is a handicap to many of our farmers but also greatly interferes with the efficiency of our school system. Having watched my own little ones start to school every morning in the darkness of night, I was sympathetic to their situations. I therefore consulted with our Attorney General, wrote to the President of the United States, and ascertained whether any action taken by the State could be followed by the railroads and other agencies of interstate commerce. After doing these things I concluded that there is nothing that the Legislature or I can do to change the situation. There is a popular belief that because my predecessor issued a proclamation in connection with the establishment of War Time, that the mere issuance of a contrary proclamation by me would serve to restore us to Standard Time. The Attorney General advises me that such is not the case.

I am advised by the railroads that it would be necessary for them to maintain their schedules according to War Time, and that their problems and those of the traveling public would be multiplied by any attempt to maintain two systems of time in California.

Yesterday I received the following telegram from the President:

In response to your telegram of January 20th concerning California's return to Standard Time, I believe such action now would be ill-advised and that your State should remain on War Time throughout the year 1944. War Department study has indicated that a change to Standard Time would require a greater power generating capacity, with accompanying increase in the use of fuel oil and gas; also of labor and transportation facilities for expanding generating capacity. During the coming year our facilities will be taxed to the limit in preparation for the growing military effort in the Pacific. I am sure you will agree that our industrial schedule should not be jeopardized by any change in our present War Time program.

(Signed)

FRANKLIN D. ROOSEVELT

Under the circumstances, it appears to me that no effective action can be taken at this time by either the Legislature or myself.

You are all welcome to see the file on the subject in my office.

The first matter in the call is the question of the voting of our Soldiers. You applied yourselves in a general way to this subject at the regular session by making it possible for company officers to swear and verify the signatures of men in their

command. However, since that time, many thousands of our boys have gone to the most distant battlefronts of the world, and it is now apparent that if they are actually to have the opportunity as well as the right to vote, it will be necessary to liberalize the procedure for their registration and the manner of requesting ballots, as well as to lengthen the time between the mailing out and the return of their ballots. I have discussed this matter with your appropriate officers and committees, with our Commission on Interstate Cooperation, the Secretary of State, Legislative Counsel, the Attorney General and the county clerks of the State. It is the consensus of opinion among this group that by the simple process of stepping up the performance of all statutory acts precedent to the election, and the retarding of all acts to be performed subsequent to the election, the elapsed time between mailing out and receiving back Soldiers' ballots can be increased from 26 to 56 days. This additional time, combined with the opportunity to register and vote simultaneously and a more liberal use of air mail where possible, should, with the cooperation of the armed forces, enable our protectors to vote, whether they are stationed in the Sacramento or Nile Valley, and Mojave or Sahara Desert, or the Catalina or Solomon Islands. We do not yet know to what extent the Army and Navy will be able to cooperate in the handling of our election mail. Neither can we guess what, if any, action Congress will take in connection with Soldier voting. But I know that you will agree with me when I say that regardless of what is done by any of these agencies, we want every Californian in the armed forces to know that his State is doing everything possible to enable him to vote wherever he may be. Somehow or other, I have the belief that these Californians—whether they are in fox-holes, on the decks of destroyers, or in a flying fortress—as they look up to the stars and think of our Homeland, will have a clearer understanding of what we are striving for and will receive more Divine guidance than will the remainder of us who are removed from all sense of personal danger and who are too often guided by the prejudices that result from petty irritations rather than from sacrificial service. We need the moral force and the spiritual uplift that will come from their participation in Governmental affairs more than they do, and we want them to vote without regard to color, creed, political belief, or any other artificial classification that tends to divide Americans. I think you will have no difficulty in speedily adopting the recommended bill or some adaptation of it which will accomplish the desired purpose.

The next matter is equally important from the standpoint of time, because it calls for the submission of a constitutional amendment at the coming election. When the California State Constitution was framed in 1879, Section 1 of Article XIII expressly exempted from taxation all property owned by the United States Government. At that time, Federally-owned property outside of the public domain was limited to forts, arsenals, customs houses, post offices, and a very few other such buildings. Government was simple in those days, but since the turn of the century, and particularly in recent years, the Federal Government has engaged in numerous activities believed prior to that time to be the functions of State Government. Hundreds of Federal agencies have sprung into being, some of them strictly governmental, others little different from private business organizations. Many of these agencies and the military forces have purchased outright valuable pieces of property in our State. Such purchase automatically takes them from the tax rolls of our local subdivisions. At the present time about 43 per cent of the area of this State, with a total assessed valuation of several hundred million dollars, belongs to the Federal Government. In two California counties, Alpine and Inyo, the percentage approximates 90 per cent. In Trinity, Tuolumne, Mono, Plumas and Del Norte it approximates 70 per cent, and in El Dorado, Fresno, Lake, Lassen, Mariposa, Modoc, Riverside, Santa Barbara, Sierra, Siskiyou, Tulare and Ventura Counties, it amounts to somewhere between 40 and 65 per cent. Much of this property enjoys the same services of State and local government as does privately owned property, although it does not make an equitable contribution to them. Since 1938, the Federal Government has removed from the assessment rolls of our local governments property of the value of nearly \$100,000,000, resulting in an additional loss of \$2,500,000 in revenue to the local governments involved. Obviously this works a hardship on the finances of many of our local governments. Congress has given some indication that it is interested in granting relief from this situation and has actually authorized the taxation by the States and their political subdivisions of real property owned by Reconstruction Finance Corporation and its subsidiaries, as well as a few other Federal agencies. Section 1 of Article XIII of our Constitution, exempting as it does from taxation all property owned by the Government of the United States, deprives California of the opportunity to take advantage of the action of Congress. It is reasonable to believe that Congress will in justice grant still further relief along this line. At the present time, however, we are in no position to urge it because we could not accept the benefits if they were given. Therefore, after consultation with the President pro tempore of the Senate and members of the Interim Committee on Taxation, I have had prepared by the Legislative Counsel and the Attorney General a constitutional amendment for submission to the people in the November, 1944, election which will authorize the State of California and its political subdivisions to tax Federal property in those instances where Congress has already consented or may in the future do so. The issue is one of equity, for it would be grossly unfair to California if its Constitution enjoined its political subdivisions from taxing Federal property while other States were doing so.

If you agree with the principle of the proposals, I believe you will have no difficulty in adjusting the details of the proposed amendment to your views.

Third, I have been advised by the League of California Cities that some urgency amendments to certain municipal charters are awaiting action by the Legislature. They can not become effective, of course, until ratified by you. There are only a few of them and I believe that their consideration will not take a great amount of your time.

I now come to the management of our prisons, a matter which has long challenged the interest of the Legislature, the Governor's office and groups interested in penology, but which has never commanded their joint action at any one time. When one focused its attention on the problem, the others were so engaged that their services could not be enlisted. At your last session, a splendid committee of the Senate, after an exhaustive study, filed a report on March 16th, pointing out certain shortcomings in prison management and advocating certain changes which are the basis of my present recommendations to you.

That committee reported in part as follows:

"That entire reorganization of the penal system be made with a director at its head, skilled and trained in modern penological practices * * * and should be given wide powers over the institutions, their management and control."

And this is only one of a series of studies made by the Legislature or at its request during the last 10 years.

In 1934, the Bureau of Public Administration, University of California, rendered a report to the Legislature which in part reads as follows:

"California's present plan of penal administration originated in 1879, when the problems of prison administration and management were comparatively simple, while at the present time the development of prison affairs has become so complex that a lay board of five members can no longer by itself adequately administer the system. Other large States, such as Illinois, Massachusetts, New York, and Ohio, with similar complex prison problems, have found it expedient to organize a separate department of the State Government to deal with this matter. Such a department, headed by a single, qualified executive with wide powers, could develop and put into practice modern and progressive programs dealing with California's Prison System."

Also, the Final Report of the Committee on State Organization submitted to the Governor and the Legislature in 1941, arrived at the same conclusion.

Recent developments caused me to appoint a committee consisting of:

Julian H. Alco, Chairman; Member of the Board of Prison Directors
Charles H. Deuel, Senator; Member of the Legislature
Burdette J. Daniels, Legislative Secretary to the Governor
Pierce H. Fazel, Analyst, Department of Finance
Walter Gordon, Member of the Board of Prison Terms and Paroles
Karl Holton, Director of California Youth Authority
Joseph H. McClelland, Chief Special Agent the Attorney General

They have confirmed these prior findings.

The fact is that for years everyone who has studied our present system has come to the realization that the structure is unsound and must be reconstructed if we are to make progress. The same weaknesses have been apparent under all boards and I want to say that my remarks today are directed against the system rather than toward the individuals who are administering it. I have known most of the members of the Board of Prison Directors for the past 20 years and, in my opinion, they have all been fine men. However, as at present, conditions have often arisen in the past which showed the weakness of our system and the necessity for change. Sixty-five years ago, in 1879, when our present Constitution was adopted, and when we had one small penitentiary at San Quentin, the management of our Penal System was placed in the hands of a non-paid Board of Prison Management. Since that time, our Prison System has grown until we have four major institutions with thousands in custody and other thousands on parole. The three prisons for men are each under the separate management of a warden, with no central business management, no over-all policy or pattern of custodial care and with each warden subject only to the supervision of the part-time Prison Board, and the informal activities of its members which have often been too personalized to reflect the policies of the board. The present board, according to its own records in the past two years, has met 8 times at Folsom, 13 times at San Quentin and 8 times at Chino.

It is logical to expect that loose practices would result from such lack of administrative direction and they have so developed. To merely say that the business practices in vogue are inefficient would be an understatement. Thousands of dollars have been spent according to the whim of a warden and without accounting for it. Hundreds of animals are unaccounted for on the farm, crowds of people as high as 800 have been permitted to eat at the prisons without adequate control or financial accounting to the State, and a general looseness in accountability is without question costing the State thousands of dollars each month.

On the custodial side, the classification of prisoners is wholly inadequate. The selection of prisoners for the various work camps is without policy or pattern with the result that during the past year 100 convicts have escaped. Of these, 3 are murderers; 32 crimes of first degree robberies were committed which means gun men; 7 first degree burglaries, and 30 crimes of second degree burglary were committed; 4 rapists and other sex criminals. There is a general looseness in discipline and a system of so-called "con boss" rule that spells favoritism and injustice. There is a low morale in the guard lines, and the authority of the "convict bosses" has often been greater than that of the captain of the guard.

Our parole system as administered by the Board of Prison Terms and Paroles and the Bureau of Paroles which is under the jurisdiction of the Board of Prison Directors is not an integrated unit and can not be said to be effective.

Under our system there is no official contact between the Women's Institution at Tehachapi and the prisons for men—and the Youth Authority is disassociated from both.

What almost every investigating body has recommended, and what I now suggest to the Legislature, is that we reorganize our system so as to assemble in one department of our State Government (to be known as the Department of Corrections) all of our corrective institutions; that in order to have a sound over-all business administration and a complete pattern for custodial care, we have a Director of Corrections with authority to manage our institutions and with definite responsibility to the Governor for the standards of care and management maintained. In this department we suggest that there be a policy-forming board to be known as the Board of Corrections, consisting of the three members of the Youth Authority as now constituted, an Adult Authority of three members, which would be the full-time successors to the present part-time Board of Prison Terms and Paroles, and two members of the Board of Trustees of the Women's Institution at Tehachapi.

The changes made in the duties and responsibilities are not great but it is the belief of those who have worked on the program that the inconsistencies and conflicts of jurisdiction now existing between the Board of Prison Directors, the Board of Prison Terms and Paroles, and the Bureau of Paroles have been eliminated.

It is my belief that in so organizing our corrective system we can approach our problems from a balanced point of view. The crime problems of youth and women are inseparably connected with those of men. Unfortunately too many of the graduates of our reform schools soon matriculate at San Quentin. From that time on they become a product of our prison and parole system.

I believe we can have a corrective system for youths that will do a far better job than we have yet done in preventing children from becoming confirmed criminals. I believe we can have an enlightened prison system that will reflect sound business management and rehabilitating custodial care—not a cruel system, nor even a harsh system, but a system that does recognize discipline as the basic essential of orderly conduct. I am sure we can improve the standards of parole and encourage more men to lead an honorable life than has been done in the past. All of these things we can do if authority and responsibility are made commensurate with one another.

The question has been asked: Why should this action be taken in special session? In my opinion, there are several reasons. First, we can not continue to talk about without acting on a subject which is of such importance to the safety of every home in California. Over 90 per cent of the men in our penal institutions eventually leave them to become our neighbors. Whether they are to be better or worse after their experience depends largely upon our prison and parole system.

At the present time we have fewer prisoners in our penitentiaries than at any time in 20 years. This is a product of the war. It invariably happens that way. Ten years ago with 2,000,000 less people in the State we had 8,500 prisoners as compared with 8,000 today. But this is the lull before the storm. War has a brutalizing effect upon humanity and every war is followed by a tidal wave of crime. It is certain to come to us; a very few years after the war will without doubt see 10,000 men in our penitentiaries. Now is the time to prepare for the storm.

If we can not house 5,000 prisoners properly now, what will we do then?

There is another reason why I ask for action now. The Board of Prison Directors, in order to remedy the defects, is pressing me for innumerable jobs to be paid for out of the Emergency Fund which we are faithfully endeavoring to conserve in accordance with your wishes. The board is now requesting from that fund, money for 26 new employees at San Quentin at a cost of \$60,000 per year. Ten permanent guards are requested for Folsom. I do not believe they are necessary but realizing the chaotic condition there, I have authorized the employment of them for a period of three months. I have also authorized the employment of a stenographic secretary to eliminate a convict boss secretary. Eight supervisors have been approved for a project at the Mira Loma Army Quartermasters Depot and there is a current request for a supervisor of clothing. In the aggregate these represent a large expenditure. I have no way of knowing the merits of the request, but I can not see why our Prison System would require 50 more employees than it has had at a time when our present prison population was almost twice its present size. This is particularly true, when at most the creation of the new positions will merely be a gesture toward waving the tide back rather than to remodel the structure along modern lines.

In the preparation of the suggested bill, I have counselled with the Attorney General, the officers of your bodies and committees, the Legislative Counsel, the Bureau of Public Administration of the University of California, members of the Board of Prison Directors, and the Board of Prison Terms and Paroles, the Director of Federal Prisons and interested groups. We believe we have prepared a sound bill—one that will, in all respects, warrant analysis and public scrutiny. We are bringing it in conformity with the Civil Service System of the State and making the principal appointments subject to confirmation by the Senate. I was pleased yesterday to receive the following telegram from Mr. James V. Bennett, Director of Federal Prisons:

"Believe that proposed criminal and penal reform bill is sound and progressive and will make possible much needed improvements in California prison system by centralizing authority and responsibility and (the application of modern administrative methods to your prisons). The principles underlying California method of sentencing and treatment of youthful and adult offenders are eminently sound and forward looking and need only to be implemented by the forthright administration I believe this bill and your leadership will make possible. Congratulations and best wishes."

I hope you will agree with the principles we are forwarding in this bill and that you will establish them in the law of our State. I want to be helpful in the establishment and administration of a modern system of penology. I have had some experience in the field of law enforcement and I believe that it is as important to society for us to do our best to rehabilitate prisoners as it is to convict them of their crimes. It is only in that manner and by a program which will prevent children from entering a life of crime that we can adequately protect the name of California from the consequences of criminal conduct.

Juvenile delinquency is greatly on the increase, and it must be remembered that unless these wayward youths are diverted to normal lives they will be the criminals of tomorrow. Your fine Assembly committee is working diligently in this field. We will be happy to work with it and other related committees in an effort to attack our crime problem as a whole. We can be helpful if you give us a structure that is consistent with present-day penological methods and with modern business practice.

ADJOURNMENT OF JOINT CONVENTION

There being no further business, at 12.45 p.m., the Speaker of the Assembly declared the Joint Convention adjourned.

IN ASSEMBLY

REASSEMBLED

At 12.46 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Doyle moved that the remarks by Governor Warren, made to the Joint Convention, be printed in the Journal.

Motion carried.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 12

Resolved by the Assembly of the State of California, That there is hereby created a Special Assembly Committee to be known as the Penal System Reform Committee, to consist of the present members of the Assembly Standing Committees on Crimes and Corrections and Governmental Efficiency and Economy; and, be it further

Resolved, That the Speaker shall appoint the chairman of the Penal System Reform Committee from among its members and that each member shall have but one vote on any matter coming before the committee; and be it further

Resolved, That all measures relating to the administration of justice and the Penal System, coming within the scope of Item 2 of the Proclamation of the Governor convening this extraordinary session of the Legislature shall be referred to said committee by the Speaker; and be it further

Resolved, That said committee shall hold public hearings in the Assembly Chamber on any measures on which it may report to the Assembly; that the public shall be freely admitted to and heard at such hearings, and that said committee shall have all

the powers of a standing committee of this Assembly, except as modified by this resolution.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 12, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

By Messrs. Bashore, Lyon, Collins, Sam L., Maloney, Crowley, Robertson, Burns, O'Day, Desmond, Hawkins, Heisinger, Stream, and Thorp:

House Resolution No. 13

Relating to the marriage of Mr. and Mrs. Arthur A. Ohnimus

WHEREAS, Since the days of Adam and Eve, man is born unto trouble; and

WHILEAS, On December 27, 1943, beset with importunity, and within a few hours of the dawn of Leap Year, a well known bachelor loved and respected by all the Members of this Assembly, called upon Eros, the God of Love, to have mercy on his soul and lift him from the depths of single wretchedness to which for many, many years he had fallen; and

WHEREAS, The well-known haunts of entertainment will hear with less frequency his melodious voice singing "Happy Birthday to You"; and

WHEREAS, Since becoming a benedict and forsaking all others, his worried look has disappeared, his use of vitamins doubled, his appetite become normal, his hours regular, and his work again a pleasure; now, therefore, be it

Resolved, That the Members of this Assembly extend to Arthur A. Ohnimus and to his gracious wife Bernice, better known to all of us as "Cookie," their congratulations and felicitations upon their marriage; and be it further

Resolved, That it is the wish of this Assembly that Arthur and Bernice have many, many happy years together; and be it further

Resolved, That a copy of this resolution suitably engrossed be presented to Arthur A. Ohnimus and to his charming wife.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 13, at this time, without reference to committee.

Resolution read and adopted unanimously.

PRESENTATION OF BILLS FOR INTRODUCTION

The following bills were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Bill No. 1.

Assembly Bill No. 2.

Assembly Bill No. 3.

Assembly Joint Resolution No. 1.

Assembly Concurrent Resolution No. 1.

Assembly Concurrent Resolution No. 2.

Assembly Concurrent Resolution No. 3.

Assembly Concurrent Resolution No. 4.

Assembly Concurrent Resolution No. 5.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS**

The following bills were reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Bill No. 1: By Messrs. Flourt, Carlson, Field, Collins, Sam L., Gannon, Clarke, Wollenberg, Evans, Brady, and Doyle—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions, and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811, and 4812.5 of, the Penal Code; amending Section 7501 of, and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7, and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Referred to Special Committee on Penal System Reform.

Assembly Bill No. 2: By Messrs. McCollister, Desmond, and Gannon—An act to include in the State civil service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Referred to Special Committee on Penal System Reform.

Assembly Bill No. 3: By Messrs. Carlson, Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkbalter, Burns,

Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Mrs. Niehouse, Messrs. O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Lyon—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Assembly Joint Resolution No. 1: By Messrs. Lyon and Bashore—Relative to memorializing Congress to simplify the income tax returns. Referred to Committee on Rules.

Assembly Concurrent Resolution No. 1: By Messrs. Lyon and Doyle—Relative to the death of H. S. G. McCartney.

Without reference to committee.

Assembly Concurrent Resolution No. 2: By Mr. Weybret—Relative to approving certain amendments to the charter of the City of Monterey, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of May, 1943.

Without reference to committee.

Assembly Concurrent Resolution No. 3: By Mr. Kellems—Relative to approving amendments to the charter of the City of Santa Monica, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of December, 1943.

Without reference to committee.

Assembly Concurrent Resolution No. 4: By Messrs. Desmond and Gannon—Relative to Standard Time.

Without reference to committee.

Assembly Concurrent Resolution No. 5: By Mr. Heisinger—Relative to the calling of an extraordinary session to run concurrently with the Third Extraordinary Session to make an additional appropriation to carry out the operation of the California Food and Fiber Production Act.

Referred to Committee on Agriculture.

RECESS

At 12.50 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2.15 p.m.

REASSEMBLED

At 2.15 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA. OFFICE OF LEGISLATIVE COUNSEL.

SACRAMENTO, CALIFORNIA, January 26, 1944

*Honorable Arthur Ohnimus, Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California*

VOTE REQUIRED FOR PASSAGE OF PROPOSED LEGISLATION - No. 270

DEAR MR. OHNIMUS: You have asked us whether any of the measures now proposed for introduction at the extraordinary session to convene on January 27, 1944, requires 54 votes for passage in the Assembly.

Since the Legislature has not yet convened, and, therefore, no bills have yet been introduced, our answer to your question must necessarily be based upon the four subjects of legislation specified in the Governor's Proclamation, and upon the two bills which have been preprinted for introduction.

1. The War Voters Ballot Bill preprinted for introduction pursuant to Item 1 of the Proclamation is an urgency measure and, therefore, must be passed by a two-thirds vote of all the members elected to each house (Constitution of California, Article IV, Section 1). In the Assembly, therefore, 54 votes are required for passage of this measure.

2. The Criminal and Penal Reform Bill preprinted for introduction pursuant to Item 2 of the Proclamation in our opinion does not contain anything which would require the vote of more than a majority of members elected for passage. The bill is not an urgency measure, nor does it make any appropriation from the General Fund. Section 46 of the bill transfers moneys which have hitherto been appropriated, but makes no new appropriation.

3. Item 3 of the Proclamation specifies legislation and a constitutional amendment relating to taxation of property of the United States and receipt of payments in lieu of such taxation. Under Section 1 of Article XVIII of the Constitution, a vote of two-thirds of all the members elected to each of the two houses in favor thereof is necessary for the submission to the people of any constitutional amendment. Fifty-four votes in the Assembly will, therefore, be required for the passage of the constitutional amendment specified by Item 3 of the Proclamation.

In the absence of any preprinted or introduced bill on this subject, we are unable at this time to express any opinion as to the vote required on a proposed statute on this subject.

4. Approval or rejection of charters and charter amendments of cities, counties, and cities and counties, pursuant to Item 4 of the Proclamation requires a favorable vote by a majority of members elected (Constitution, Article XI, Sections 7½ and 8).

Should it be desired to dispense with the constitutional requirement of reading on three several days in respect to any proposed statute, the vote required by Section 15 of Article IV of the Constitution is two-thirds of the House. This requirement does not apply to concurrent resolutions approving or rejecting charters nor to constitutional amendments. You will remember that Joint Rule 6 of the Joint Rules adopted at the Regular Session of 1943 specifically exempted constitutional amendments and concurrent and joint resolutions from the requirement of three readings.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By (Mrs.) HARRIETT R. BUHLER, Deputy

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following officers for the Fifty-fifth (Third Extraordinary) Session:

Hon. Jerrold L. Seawell.....	<i>President pro tempore</i>
Joseph A. Beek.....	<i>Secretary of the Senate</i>
Joseph F. Nolan.....	<i>Sergeant-at-Arms</i>
John F. Lea.....	<i>Minute Clerk</i>
Rev. Father Richard C. Dwyer.....	<i>Chaplain</i>

JOSEPH A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

COMMUNICATIONS

By Mr. Allen :

A communication from Andrae B. Nordskog, relative to Election-Soldier Vote, was received and referred to the Committee on Rules and House Functions.

By Mr. Maloney :

The following communication was received, read, and ordered printed in the Journal :

NEW YORK, January 24, 1944

Hon. Charles W. Lyon, Speaker

Hon. Thomas Maloney, Speaker pro tempore of the Assembly
Sacramento, California

Regret inability to attend special session. Best wishes from absent members for harmonies and constructive accomplishments.

Kindest regards to you, all the boys, and Katie.

WILLIS SARGENT

CHANGES IN INTERIM COMMITTEE MEMBERSHIP

The Speaker announced the appointment of Mr. Waters as a member of the Assembly Interim Committee on Governmental Efficiency and Economy, vice Mr. Potter, resigned.

The Speaker announced the appointment of Mr. Johnson as Chairman of the Assembly Interim Committee on Correctional Problems, vice Mr. Potter, resigned.

The Speaker announced the appointment of Mr. Lyons as a member of the Assembly Interim Committee on Correctional Problems, vice Mr. Potter, resigned.

COMMUNICATIONS

By Mr. Thomas :

A communication from B. L. O'Neal, president pro tempore of the Harbor District Association of Insurance Agents, relative to lending institutions, was received and referred to the Committee on Rules and House Functions.

RESOLUTIONS

The following resolutions were offered :

By Messrs. Fourn and Waters :

House Resolution No. 14

Relating to Robert M. Clarke

WHEREAS, This Assembly has learned with profound regret of the death of Robert M. Clarke in Los Angeles on November 15, 1943; and

WHEREAS, Robert M. Clarke had, in addition to his brilliant career as a member of the bar and his distinguished service to his profession, achieved an unusual position in public life, having served the State of California as Deputy Attorney General, as a Member of this Assembly, and for many years as Judge of the Superior Court of Ventura County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly hereby express their deep regret upon learning that death has taken from them their former colleague and friend, and brought to an end the great public service of this most able lawyer, legislator, and jurist, and the Members of this Assembly express their deepest sympathy to the surviving family of Robert M. Clarke; to his widow, Mrs. Edna Clarke; his sons, Superior Court Judge Thurmond Clarke and Lieutenant Robert M. Clarke of the United States Army; and his daughters, Miss Rosamond Clarke of Stanford University and Mrs. Leslie Roos of San Francisco; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Robert M. Clarke; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of this Assembly to the family of Robert M. Clarke.

Request for Unanimous Consent

Mr. Fourn asked for, and was granted, unanimous consent to take up House Resolution No. 14, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Lyon and Thomas :

House Resolution No. 15

Relating to the death of Frank McGinley

WHEREAS, The Members of this Legislature have learned with great regret of the death of their former colleague, Frank McGinley, in Wilmington, on January 10, 1944 ; and

WHEREAS, Frank McGinley served during the Forty-eighth Session of the Legislature, in 1929, as Assemblyman from the City of Wilmington, and served additional years in public office as Chief of the Los Angeles City Police and Fire Signal System ; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly hereby pay tribute to Frank McGinley and to the able and faithful service he has rendered in public office, and they do hereby express deep sympathy to the members of his family ; and be it further

Resolved, That when the Assembly this day adjourns, it do so out of respect to the memory of Frank McGinley ; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted to the family of Frank McGinley.

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up House Resolution No. 15, at this time, without reference to committee.

Resolution read and adopted by a rising vote of the Assembly.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolutions were presented for introduction, and referred to the Legislative Counsel Bureau :

Assembly Concurrent Resolution No. 6.

Assembly Concurrent Resolution No. 7.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was reported back from the Legislative Counsel Bureau, and read :

Assembly Concurrent Resolution No. 6: By Messrs. Dilworth, Knight, T. Fenton ; Kellems, Maloney, Crowley, Robertson, Field, Evans, Lyon, and Mrs. Niehouse—Relative to Miss Eleanor Miller.

Request for Unanimous Consent

Mr. Dilworth asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 6, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to Miss Eleanor Miller.

Resolution read, and adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Maloney moved that the following remarks by Mr. Dilworth, regarding Assembly Concurrent Resolution No. 6, be printed in the Journal:

Mr. Field seconded the motion.

Motion carried.

Remarks by Mr. Dilworth

A score of years is a long time in anyone's life. It is a long time in the history of a young and growing State. It is given to few legislators to serve for two decades in the law-making chambers of any State.

Only one woman has been so honored by her fellow citizens, and it has been the great privilege of this Assembly from 1922 to 1942 to be graced by the presence of the late Honorable Eleanor Miller.

On the nineteenth of December, last, it pleased Almighty God in His providence to call her Home from her labors on earth. No Member of this Assembly was more highly esteemed by its membership, no member was ever more faithful in attendance upon her duties. No matter how long the hours, no matter how great the strain, her gentle presence was always here, and her persuasive words of wisdom kindly given for the benefit of us all.

The late Honorable Eleanor Miller was most generous with her time and talents for the benefit of her home city of Pasadena and for the State of California. Thousands are mourning the passing of a dear friend and counselor. To me, as a newcomer in this Assembly eight years ago, she was a never-failing source of dependable information and guidance. No member was more helpful. When a guest in our home, she was never too busy to pay attention to my children's questions. The youth of California have lost a true friend and a powerful advocate in Eleanor Miller. No cause was dearer to her heart than the care and welfare of crippled children or orphans.

Her eloquent voice was often raised in this Chamber in behalf of her sisters, the women of California. Many just and wise statutes of this State are the work of her legislative career in behalf of the members of her sex. The establishment of care and services for the weak and erring was the fruit of her toil and the measure of her spirit of forgiveness. The segregation of women prisoners in a separate institution for their rehabilitation directed by a separate board of women is a monument to her unremitting zeal for the welfare of the erring women of our State.

An author of note, active in civic affairs of her home city, a faithful teacher and leader in her church, her loss is irreparable to our State.

No longer will her persuasive words fall on our ears, but the inspiration of her memory will linger with each of us through the years to encourage us to noble kindly deeds.

RESOLUTIONS

The following resolution was offered:

By Mr. Heisinger:

House Resolution No. 16

Relative to memorializing Congress to enact legislation which would permit all qualified voters now serving in the armed forces to exercise their right of suffrage.

WHEREAS, The Election LAWS of many States do not contain provisions which would enable qualified voters now serving in the armed forces to exercise their privilege of voting for President, Vice President and Members of the Congress; and

WHEREAS, Every person now serving our Country in war and who is otherwise qualified to vote should be accorded the opportunity of exercising his elective franchise; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States is hereby memorialized to enact legislation which would permit all qualified voters now serving in the armed forces to exercise their right of suffrage; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the President, Vice President, the Speaker of the House of Representatives, and to each Senator and Member of the House of Representatives from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

COMMUNICATIONS

By Mr. Robertson:

The following communication was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, January 27, 1944

*Honorable Alfred W. Robertson
Chairman Democratic State Central Committee
Assembly Chamber*

Today is California's hour of destiny. You, the elected representative of her people, can meet the National challenge for that great American leadership needed in this hour. To the demand that arises from 48 States reply "Here, take the man of California we have found incomparable, Governor Earl Warren." You, his co-workers, with whose aid he has worked the California miracle within 12 months, may say "We will lend you, for a period of National service, this illustrious native son of California who has opened a new era in this Golden State, that he may work a new miracle of understanding and cooperation for America." As a veteran, the Governor's call of today is evidence of his ever mindfulness of the interest of our National defenders. His recommendation for prison reorganization and reform is of National moment. The unexcelled Warren qualities of leadership, his executive acumen, will be needed by America. What an imprint has already been made upon the Country by Governor Warren's State of record accomplishments! You, who share with him the credit for these accomplishments, can best recount them to a responsive Nation. You can exult in recommendation of a leader who has redeemed the State from a destructive partisan of bitterness, restoring it to constructive cooperation, and to unity unrivaled. Although a former Member of California Legislative Body, I offer this appeal expressive merely of the sentiments of an average American citizen of long residence in this Commonwealth. Give California the preeminence our beloved State merits. Grant California the honor of offering to America a priceless inspiring leadership. Endorse the record of Governor Earl Warren by resolution that will commend him to the Nation and to his party convention as the builder of confidence, of character, and of faith in our American institutions so vitally needed both in the defense and in the preservation of our Country.

Yours for California and for America.

FREDRICK M. ROBERTS

By Mr. Desmond:

The following communication was read by Mr. Desmond, and ordered printed in the Journal:

FIELD HEADQUARTERS, 1512 N St., Apartment 18
California Legion Moves to Aid Crippled Veterans

Have you any crutches, canes, and artificial limbs not being used? The Army and Navy wants them.

State Commander Houghton has ordered into mobilization a new unit for the salvaging of crutches, canes, and artificial limbs. That they, our buddies, will walk again in the majesty of the Lord unafraid and unopposed.

This movement will be State-wide. Everybody is asked to carry the ball for the duration for this All-American Cause.

HAROLD E. BURKHEIM,
Sacramento Post 61

By Speaker Lyon:

A communication from Los Angeles American Youth For Democracy, relative to Soldier vote legislation, was received and referred to the Committee on Elections.

ANNOUNCEMENT BY THE SPEAKER

The Speaker asked Mr. Doyle to convey to his brother, Mr. Jack Doyle, the wishes of the Assembly for a speedy recovery from a serious illness.

MOTION TO PRINT IN JOURNAL

Mr. Maloney moved that the following poem be printed in the Journal:
Motion carried.

Our Christmas Tree

By RICHARD DESMOND

One of the things I hate most to see
Is Mother dismantling our Christmas tree.

I remember the night we put it in place
Dad worked with hammer to fix the base.
There were Mother, my Aunt, Grandma, and I,
And the five other kids, all fit to tie.

When finally the tree was up and erect
We turned and turned it for the best effect.
Dad pushed it and pulled it and fixed it up. So
Then Mom with great glee was ready to go.

First came the light with many strands
To be put into place by too many hands.
Dad took the kids and shooed them away,
And worked alone while Mom held them at bay.

As usual, Dad couldn't get them to work
So Mom fixed them up with one little jerk.
The kids were turned loose, and with one little bound,
Had tinsels and ornaments strung all around.

Then, crowning moment! There came the bright star
And our minds wandered back to that moment afar
When in the dark desert in a manger there lay
The little Christ Child on that first Christmas Day.

Came Christmas Eve, that evening divine,
When Santa would come at a quarter to nine.
There came through the door Aunts, Uncles, and friends,
Cousins and presents in a stream without end.

At the base of our tree, standing haughty and proud,
Were heaped presents, good cheer, from the holiday crowd.
There it stood, lovely, emblazoned with lights,
King, reigning supreme, on this night of all nights!

Then slowly, but surely, a deep silence fell
And on the porch we all heard a bell.
Anxious, all eyes turned to the door
And there stood old Santa, to see us once more.

Each tot spoke a piece for that grand old man,
He gave out his presents, and his visit was spanned.
Now back to the tree all eyes were turned,
Now was the moment for which all had yearned.

There were some blocks for our little Mike,
And almost always some one gets a bike.
The girls got clothes, lipstick, and such—
No times for dolls, gosh, they're growing up!

There were some presents for the old folks too.
They seemed to accept them without much ado.
They acted mature and worldly wise
But who could mistake the gleam in their eyes?

Our old tree is dimmed, its glorious moment gone.
Upstairs, all are sleeping, sleeping 'til dawn.
In the morn they will waken to Church and to play,
To eat a grand dinner on a grand Christmas Day.

The tree is unnoticed, it stands so alone
Almost forgotten by those it had known.
Comes New Year's, the tree has seen at last
Another gay holiday season passed.

Some cold gray morn in the next day or two
Mother will have a sad job to do.
And if, while I watch, I shed a tear
She'll say "We'll have one again soon—next year."

Thank thee, dear Lord, for the Christmas joy
That you have sent down to this happy boy.
And I hope, dear Lord, that you'll again let me see
Dad and Mother put up a new Christmas tree.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolution was reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Concurrent Resolution No. 7: By Messrs. Lyon, Dunn, Sheridan, Carlson, Carey, and Johnson—Relative to the death of former Governor Friend W. Richardson.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to the death of former Governor Friend W. Richardson.

Resolution read, and adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Johnson and Maloney, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Pvt. Louis Hoffman of Wisconsin.

On request of Mr. Beck, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Edward A. Ericson of San Francisco.

On request of Messrs. Desmond and Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank Rayns, Director of the Norfolk Agricultural Station, Executive Officer of the Norfolk War Agricultural Executive Committee, of Sprowston, Norwich, England.

On request of Messrs. Kellems and McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Ida Koverman and Miss Grace Stoerner.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Leland McArthur.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to E. E. Smith, County Superintendent of Schools of Riverside County.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lee T. Bashore and Mrs. Lee T. Bashore, Jr.

On request of Mr. Don Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Andrae Nordskog of Los Angeles.

On request of Mr. Brady, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. Otto Wallerstein and Mrs. Ilse Wallerstein of San Francisco.

On request of Mr. Evans, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. James Boyle.

On request of Messrs. Thurman and King, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Hon. Henry W. Lyon, District Attorney of El Dorado County, and Sheriff West of El Dorado County.

On request of Mr. Lyon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to J. C. Shaffer, Secretary, California State Employment Association.

On request of Mr. William H. Rosenthal, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Judge and Mrs. Isaac Pacht and Mr. and Mrs. Joseph Loeb.

On request of Mr. Thurman, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Paul Ullrich, Chairman of Nevada County Republican Central Committee.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., January 28, 1944, out of respect to the memory of the late Honorable Robert M. Clarke, Honorable Frank McGinley, Honorable Friend W. Richardson, and Honorable Eleanor Miller.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, January 28, 1944

The Assembly met at 11 a.m.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Almighty and All Merciful God, the Source of all life, the Father of all spirits and the Author of all good, we seek Thy direction for the responsibilities of this new day.

From Thee all skill and science flow
All pity, care, and love,
All calm and courage, faith and hope—
O pour them from above.
And hasten, Lord, that perfect day
When pain and death shall cease,
And Thy just rule shall fill the earth
With health and light and peace.

We ask it in Thy Name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Berry.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

BUREAU OF PRINTING
SACRAMENTO (14), January 27, 1944

*Hon. Arthur A. Ohnimus, Chief Clerk
California Assembly, State Capitol, Sacramento, California*

DEAR MR. OHNIMUS: There has been deposited this day with the State Treasurer for the account of the Legislative Printing Fund our check for \$3,954.04. This represents sales of Legislative printing for the period from July 1, 1943, to December 31, 1943. Our sales for this period at cost price were \$11,933.50. Publications received by the Legislature from the Bureau of Printing, Documents Division, cost of which is to be deducted from this amount, total \$7,979.46. We are therefore reimbursing your printing account in the sum of \$3,954.04.

Respectfully submitted.

GEORGE H. MOORE, State Printer

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 3

JOSEPH A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 3—Relative to the death of Friend William Richardson

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

Senate Concurrent Resolution No. 3—Relative to the death of Friend William Richardson.

Resolution read, and adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolutions were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Joint Resolution No. 2.

Assembly Joint Resolution No. 3.

Assembly Joint Resolution No. 4.

Assembly Joint Resolution No. 5.

Assembly Concurrent Resolution No. 8.

INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS

The following resolutions were reported back from the Legislative Counsel Bureau, and read:

Assembly Joint Resolution No. 2: By Mr. Bashore—Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 3: By Messrs. Lyon, Bashore, Maloney, Field, and Allen—Relative to memorializing Congress for legislation regulating the casting and counting of the serviceman's ballot.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 4: By Mr. Lowrey—Relative to memorializing the President and Congress of the United States to transfer control of the WRA and to abolish the Tule Lake Concentration Center.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 5: By Messrs. Lowrey and Anderson—Relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipment suitable for civilian use to United States' veterans of the present conflict at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 8: By Messrs. Lyon and Thomas—Relative to Henry E. Carter.

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 8, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Relative to Henry E. Carter.

Resolution read, and adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 17

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth, with the compensation set opposite their names payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same; said compensation to be upon a seven-day week basis:

Commencing Thursday, January 27, 1944:

Chief Clerk, Arthur A. Ohnimus	\$10 00
Minute Clerk, C. William Queale	9 00
Sergeant-at-Arms, Wilkie Ogg	8 00
Journal Clerk, Albert Day	7 00
Engrossing and Enrolling Clerk	7 00
Secretary to Chief Clerk, Dolly Smith	7 00
Assistant Minute Clerk, Dorothy Sims	7 00
Assistant Clerk	7 00
Chief Stenographer, Juanita Dependener	7 00
Postmistress, Lillian Larkin	5 00
Assistant Sergeant-at-Arms, W. J. Greene	5 00
Assistant Sergeant-at-Arms, Morris Martin	5 00
Assistant Sergeant-at-Arms, Mike Connolly	5 00
Chaplain, Rev. Clarence A. Kircher	4 00
Page Stanley Mattox	3 00

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 17, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Cail, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dilis, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Pourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Midgough, Miller, Nickhouse, Pelletier, Prier, Robertson, Rosenthal, Sheridan, Siregan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES—None.

By Messrs. Lyon and Kellems:

House Resolution No. 18

Relating to former Assemblyman Arthur A. Weber

WHEREAS, The death of Arthur A. Weber of Santa Monica has taken from that community a most able jurist; and

WHEREAS, Arthur A. Weber is well remembered throughout the State as a former Member of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That by this resolution the Members of this Assembly take recognition of the public service rendered to the people of this State by Arthur A. Weber; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Arthur A. Weber; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted to the family of Arthur A. Weber.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to take up House Resolution No. 18, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

By Messrs. Crichton and Heisinger:

House Resolution No. 19

Relating to the death of Mrs. Emma May Burns, mother of Hugh M. Burns

WHEREAS, The Members of this Assembly have learned with deep regret of the death of the mother of Senator Hugh M. Burns, formerly a Member of this Assembly; and

WHEREAS, The Members of this Assembly are deeply conscious that in losing one's mother, there is lost a tenderness, loyalty and unselfish devotion which can never be replaced; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express their sympathy to Hugh M. Burns in the death of his mother; and be it further

Resolved, That when the Assembly this day adjourns it do so out of respect to the memory of Mrs. Emma May Burns, mother of Hugh M. Burns; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Hugh M. Burns.

Request for Unanimous Consent

Mr. Crichton asked for, and was granted, unanimous consent to take up House Resolution No. 19, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Kilpatrick, Burkhalter, Middough, and Kellems:

House Resolution No. 20

Relating to the enforcement of Housing Laws

WHEREAS, There exists an acute housing shortage due to war conditions; and

WHEREAS, The Federal Government is doing everything possible to house military personnel and war workers in critical areas and has requested full cooperation of residents in these areas; and

WHEREAS, Housing Laws are enacted for the benefit of the public safety and welfare and should in peace time be strictly enforced. Under war conditions such as presently exist, the public safety and welfare require that these laws be leniently enforced so that the housing shortages can be alleviated and the war successfully waged; now, therefore, be it

Resolved by the Assembly of the State of California, That State and local officials give due consideration to these circumstances and be lenient in the enforcement of Housing Laws so that all suitable premises may be occupied; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send copies of this resolution to the State Department of Industrial Relations and to local enforcement agencies in critical areas.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Kilpatrick, Burkhalter, Hawkins, Middough, and Kellems:

House Resolution No. 21

Relating to the boarding and rooming of aged persons

WHEREAS, The State Department of Social Welfare has rules regulating the boarding and rooming of aged persons; and

WHEREAS, War conditions have created housing shortages; and

WHEREAS, These peacetime rules often make it impossible for aged persons to secure places to board and room under existing conditions and consequently hinder rather than aid their welfare; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Department of Social Welfare be requested to reexamine its rules and relax them to harmonize with existing conditions; and, be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to send a copy of this resolution to the State Department of Social Welfare.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Werdel, Heisinger, Guthrie, and Crichton:

House Resolution No. 22

Relative to Thomas A. Baker

WHEREAS, The Members of this Assembly have learned of the death of Thomas A. Baker, son of Col. Thomas Baker, founder of the City of Bakersfield; and

WHEREAS, Thomas A. Baker in his 85 years of life was a resident and active in the public affairs of the community founded by his father, having served two terms as Sheriff of Kern County, and held at various times the office of County Tax Collector, County Treasurer, and City Marshal, and was at one time Justice of the Peace; and

WHEREAS, The Members of this Assembly wish to express their regret upon learning that California has lost this public spirited son of one of its pioneer families, and wish to express their sympathy to the family of Thomas A. Baker; his sons, Tracy and Edwin Baker of Arizona, his daughter, Mrs. Ellen Marsh of Fresno, and his sister, Mrs. Charlotte Jameson of Bakersfield; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly this day adjourns it do so out of respect to the memory of Thomas A. Baker; and be it further

Resolved, That suitably engrossed copies of this resolution be transmitted to the family of Thomas A. Baker.

Request for Unanimous Consent

Mr. Werdel asked for, and was granted, unanimous consent to take up House Resolution No. 22, at this time, without reference to committee.

Resolution read and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 4

JOSEPH A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 1—Relative to the Joint Rules of the Legislature.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 4—Relative to approving a certain amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of May, 1943.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to approving a certain amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the fourth day of May, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES: Allen, Anderson, Armstrong, Baskore, Beek, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Dohs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kelboms, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, M. Soren, McCollister, McMillan, Middaugh, Miller, Robertson, Rosenthal, Sheridan, Soren, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—65.

NOES: None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Kellems asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 3, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Relative to approving amendments to the charter of the City of Santa Monica, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of December, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nicholas, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Weybret asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 2, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Monterey, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of May, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Doyle asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 1, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative to the death of H. S. G. McCartney.

Resolution read, and adopted by a rising vote of the Assembly.
Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hawkins, McMillan, Debs, Dills, Clayton A., and Dills, Ralph C.:

House Resolution No. 23

Relating to a request to the Governor to call an extraordinary session of the Legislature on a Child Care Program.

WHEREAS, The mothers of young children in California represent a vital source of "manpower" essential to the winning of the war and early victory, necessitating an adequate Child Care Program if we are to avail ourselves of their services without at the same time creating juvenile health and delinquency problems and adversely affecting the welfare of the whole community; and

WHEREAS, There are now operating in California over 350 child care extended day centers in over 75 cities depending almost entirely upon Federal funds under the Lanham Act for their operation; and

WHEREAS, On December 18th a Conference Committee of the House and Senate Appropriations Committees deleted from a general deficiency bill a \$50,000,000 appropriation for continued Lanham Act operations, including child care; and

WHEREAS, The California Legislature has made available to the War Council a State appropriation of \$500,000, an amount which will be thoroughly inadequate to continue even the present program if Congress should either discontinue or curtail Federal funds; and

WHEREAS, The State funds appropriated by the Legislature have not been made available to local communities despite the existence of an extensive need for additional child care facilities; and

WHEREAS, A grave crisis harmful to the war effort and to the general welfare will be occasioned by any disruption in the Child Care Program because of failure to receive financial assistance; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly request Governor Earl Warren to immediately convene the Legislature in extraordinary session so that we may consider a Child Care Program including an adequate State contribution to continue the program in all emergency and without restrictions which make practically unworkable the present State laws.

Resolution read, and referred to Committee on Rules and House Functions.

COMMUNICATIONS

By the Speaker:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 114, January 27, 1944

*Honorable Chas. W. Lyon
Speaker of the Assembly
Assembly Chamber, Sacramento, California*

DEAR MR. SPEAKER: Pursuant to the provisions of Section 381 of the Political Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him under the provisions of Section 1090 of said code, I have the honor to transmit to you a list of all appointments made by me under that section. Said section provides that whenever an office, the appointment to which is vested in the Governor and Senate, or over an office, the appointment to which is vested in the Governor and Senate, or in the Legislature, either becomes vacant or the term of the incumbent of which expires during the recess of the Legislature, the Governor has power to appoint a person to such office; but the person so appointed can only hold the office until the adjournment of the next session of the Legislature.

You will note that the list which I am sending you is in the form of a copy of a letter which I have this day presented to the Senate, respectfully requesting its confirmation and consent to said appointments.

Respectfully,

EARL WARREN, Governor

(COPY)

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO (14), January 27, 1944*To the Senate of the State of California*

I have the honor to inform you that I have made the following appointments, and respectfully request your confirmation thereof and consent thereto:

HERBERT C. JONES, resident of the City of San Jose, attorney at law and former State Senator, to the Board of Trustees, Agnews State Hospital, vice Dr. E. W. Hitchman, term expired, for the term prescribed by law. Appointed October 30, 1943.

MRS. MARY HAYWARD, resident of Santa Clara, business woman in real estate and insurance business, to the Board of Trustees, Agnews State Hospital, vice B. D. Draper, term expired, for the term prescribed by law. Appointed October 30, 1943.

C. C. COTTRILL, resident of San Jose, attorney at law, to the Board of Trustees, Agnews State Hospital, vice Charles McDonald, term expired, for the term prescribed by law. Appointed October 30, 1943.

C. C. POMEROY, resident of San Jose, retired businessman and chairman of Draft Board No. 109, San Jose, to the Board of Trustees, Agnews State Hospital, vice Dr. A. Knudsen, term expired, for the term prescribed by law. Appointed October 30, 1943.

REV. JOHN J. LAHERTY, resident of San Jose, priest of St. Joseph's Catholic Church, active in social work for many years and a member of the parole board for this district, to the Board of Trustees, Agnews State Hospital, vice C. V. Shessler, term expired, for the term prescribed by law. Appointed October 30, 1943.

MAYNARD GARRISON, a resident of Pasadena, a native of Ceres, California, member of the firm of Betts and Garrison, active in the insurance section of the American Bar Association, to Insurance Commissioner, vice Anthony Caminetti, Jr., term expired, for the term prescribed by law. Appointed October 1, 1943.

GEORGE H. WILSON, a resident of Clarksburg, director of the National Sugar Beet Association, California Asparagus Association, and American Farm Bureau Federation, to the California Farm Production Council, representing field crops, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

CAMILLE A. GARNIER, a resident of Puente, Los Angeles County, president of the Los Angeles County Farm Business Federation, producer of market vegetables, to the California Farm Production Council, representing truck crops, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

LOREN BARNET, a resident of Ione, president of the California Cattle Raisers Association, widely known for raising pure bred cattle, to the California Farm Production Council, representing livestock, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

A. J. McFADDEN, a resident of Santa Ana, president of the California State Board of Agriculture, chairman of the agricultural committee of the State Chamber of Commerce, official of California Fruit Growers Exchange and the California Walnut Growers Association, to the California Farm Production Council, representing citrus fruits and walnuts, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

W. L. SMITH, a resident of Buttonwillow, director of the National Cotton Council and California State Grange, member of the State Board of Agriculture, to the California Farm Production Council, representing cotton, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

FRANK M. SHAY, a resident of San Jose, president of the California Prune and Apricot Growers Association, to the California Farm Production Council, representing deciduous fruits, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

JOE HART, a resident of Modesto, Stanislaus County dairyman, past chairman of the California Farm Bureau's dairy department, and prominent in other Western dairy groups, to the California Farm Production Council, representing dairy industry, for the term ending at the pleasure of the Governor. Appointed June 24, 1943.

JAMES A. GUTHRIE, a resident of San Bernardino, president of San Bernardino Daily Sun, member of advisory board, Automobile Club of Southern California and City Traffic and Safety Commission, also member of board of directors, San Bernardino Chamber of Commerce, to the California Highway Commission, vice Helen MacGregor, term expired, for the term prescribed by law. Appointed September 14, 1943.

- C. ARNHOLT SMITH, a resident of San Diego, one of the leading bankers in Southern California, president of the Clearing House Association of San Diego, president of the United States National Bank and National Iron Works of San Diego, to the California Highway Commission, vice Dora Shaw Heffner, term expired, for the term prescribed by law. Appointed September 14, 1943.
- HOMER P. BROWN, a resident of Placerville, general manager of the Diamond Springs Lime Company, member El Dorado Chamber of Commerce, director of Mother Lode Highway Association, to the California Highway Commission, for the term prescribed by law. Appointed September 14, 1943.
- CHESTER H. WARLOW, a resident of Fresno, is a lawyer, banker and oil company executive, member of the roads and resorts committee of the Fresno County Chamber of Commerce and of the executive committee of the local council serving on committee of roads and highways, to the California Highway Commission, vice W. T. Sweigert, term expired, for the term prescribed by law. Appointed September 14, 1943.
- F. WALTER SANDLIN, a resident of Ukiah, hotel owner and manager, past president of Ukiah Rotary Club and Ukiah Chamber of Commerce, chairman of the transportation committee of the Redwood Empire Association, also vice president and director, to the California Highway Commission, vice self, term expired, for the term prescribed by law. Appointed September 14, 1943.
- HARRISON R. BAKER, a resident of Pasadena, well known real estate man, prominent in social, civic, and business organizations, member of the Pasadena Planning Commission, one of the foremost real estate valuation experts in Southern California, to the California Highway Commission, vice Verne Seegins, term expired, for the term prescribed by law. Appointed September 14, 1943.
- EDGAR E. LAMPTON, a resident of Los Angeles, past subcontractor, Deputy Labor Commissioner, public and labor relations director for Automobile Club of Southern California, active in campaigns to enlist the cooperation of car owners in the war effort, to the California Unemployment Insurance Appeals Board, for the term prescribed by law. Appointed August 27, 1943.
- MICHAEL B. KUNZ, a resident of Sacramento, member of the Plumbers Union for 31 years, city councilman and labor representative, past manager of the U. S. Employment Service, representative of the Sacramento-Yolo Building Trades Council, to the California Unemployment Insurance Appeals Board, for the term prescribed by law. Appointed August 27, 1943.
- HOMER W. BECKLEY, resident of Oakland, State Director of Civilian Protection, past director of the California League of Cities, chairman of the city attorney's section of the League, member of the American Bar Association and past president of the Lawyers Club of Alameda County, to the California Unemployment Insurance Appeals Board, for the term prescribed by law. Appointed August 27, 1943.
- T. H. MUGFORD, resident of Sacramento, in State service since 1922, Department of Finance, as Assistant Superintendent, Division of Budgets and Accounts, Board of Equalization as Sales Tax Administrator, member of the National Tax Association, to Chief of the Division of Accounts and Tax Collections, Department of Employment, and member, California Employment Stabilization Commission, for the term at the pleasure of the Governor. Appointed September 23, 1943.
- JAMES G. BRYANT, resident of Burlingame, Athletic Director for Schools, WPA and Social Welfare in Michigan, Regional Representative, Bureau of Employment Security in Cleveland and San Francisco. Deputy Regional Director of War Manpower Commission in San Francisco, in charge of regional operations of U. S. Employment Service, to the Department of Employment, Chief of the Division of Public Employment, and member, California Employment Stabilization Commission, for the term ending at the pleasure of the Governor. Appointed September 23, 1943.
- JAMES R. YOCKERS, resident of Los Angeles, in fire service 19 years, Deputy Fire Marshal, Lieutenant (Senior Grade) in U. S. N. R., released by Navy for this post, to State Fire Marshal, vice Jay W. Stevens, resigned, for the term ending at the pleasure of the Governor. Appointed May 24, 1943.
- JULIAN ALCO, businessman, resident of the City and County of San Francisco, to the State Board of Prison Directors, vice self, term expired, for the term prescribed by law. Appointed January 15, 1944.
- CHARLES M. WOLLENBERG, San Francisco welfare official, executive secretary in charge of camps, food, and clothing for the Red Cross in connection with San Francisco fire disaster, past superintendent of San Francisco County Hospital and Home for the Aged and Infirm and the Laguna Honda Home, for 27 years president of the Masonic Home for the Aged at Decoto and of the Children's Home at Covina, director of the Red Cross in San Francisco, and active in the State Department

of Public Health, to the Director of Department of Social Welfare, vice Martha A. Chickering, for the term ending at the pleasure of the Governor. Appointed November 1, 1943.

KARL W. HOLTON, resident of Los Angeles, Probation Officer for Los Angeles County, member of Youth Authority since its organization, to Youth Authority, vice self, term expired, for the term prescribed by law. Appointed October 1, 1943.

Respectfully,

EARL WARREN, Governor

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 2.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 2—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof at a general municipal election held therein on Tuesday, October 12, 1943.

Request for Unanimous Consent

Mr. Weber asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to approving an amendment to the charter of the City of Stockton, State of California, ratified by the qualified electors thereof at a general municipal election held therein on Tuesday, October 12, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-dough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Weber, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 6.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Assembly Concurrent Resolution No. 6 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Certain communications presented by Messrs. Thomas and Allen

Has had the same under consideration, and reports the same back with the recommendation: That they be printed in the Journal.

SAM L. COLLINS, Chairman

COMMUNICATIONS

The following communications were, upon recommendation of the Committee on Rules and House Functions, ordered printed in the Journal:

By Mr. Thomas:

HARBOR DISTRICT ASSOCIATION OF INSURANCE AGENTS
OFFICE OF THE SECRETARY, SAN PEDRO, CALIFORNIA

WHEREAS, Certain lending agencies, operating in real estate loans, have required and are requiring the borrower to sign an agreement providing that during the term of the loan the insurance must be written through a certain insurance agency, usually the agency through whom the loan is procured; and

WHEREAS, This practice is not in keeping with or consistent with the usual conceptions of American free enterprise and money entrusted to financial institutions by the public should not be used to garner in, by coercion in connection with loans, a substantial part of the fire insurance business; and

WHEREAS, Such practice is further inconsistent with the American conception of free enterprise because it denies the owner of property the right to choose his own insurance agent; and

WHEREAS, The requirement found in the usual trust deed or mortgage that the insurance shall be maintained to the satisfaction of the lender is complete protection to the lender so far as fire is concerned; and since where the insurance is written by an independent agency, there is an additional check upon the maintenance of the proper coverage, good business really dictates that any independent agency handle the insurance; and

WHEREAS, The requirement by a lending institution that the insurance be written through a certain agency, as a partial consideration for the lending of the money, is, on its face, a violation of law which prohibits any rebates or extraneous considerations as a basis for the policy; and

WHEREAS, In its essence, insurance that is written because of provision in an application for a real estate loan requiring the placing of the insurance through a certain agency, whether an officer of a lending institution or connected in some other way, is "controlled" insurance in every sense of the word and should be so specified in the Insurance Code; now, therefore, be it

Resolved by the Harbor District Insurance Agents' Association, That every effort should be made to correct the evil above set forth, and law should be enacted providing that no lending institution shall insert in their application or loan contract the provision requiring that the insurance be written through a certain agency and making any such provision void, and further, that the following or a similar provision should be added to Section 760 of the Insurance Code of the State of California, to wit:

Insurance written by an agency in conformity with terms of a real estate loan application, real estate mortgage, or real estate trust deed which provides that the fire insurance on the real estate covered shall be taken out through a certain insurance agency, shall be "controlled" insurance under the provisions of this section; be it further

Resolved, That copies of this resolution be sent to Maynard Garrison, Insurance Commissioner of the State of California; Jack B. Tenney, State Senator; and Vincent Thomas, State Assemblyman.

Adopted by the Harbor District Insurance Agents' Association, at San Pedro, California, on December 20, 1943.

B. L. O'NEAL, President pro tempore
HAROLD E. SAVAGE, Secretary

By Mr. Allen:

Box 5171 METROPOLITAN STATION
LOS ANGELES, CALIFORNIA, January 27, 1944

Letter from: Andrae B. Nordskog.

Requested by the Committee on Elections of the California Assembly.

*Honorable Members of the California Legislature
State Capitol, Sacramento, California*

SUBJECT: ELECTION-SOLDIER VOTE

GREETINGS: "I DIED FOR NOTHING—if not the right to vote" said the "forgotten man" in American uniform as expressed through a three-quarter page advertisement in the Los Angeles Herald-Express, Saturday, January 15, 1944, paid for by the Hollywood Free World Association through its sponsoring committee of ONE HUNDRED motion picture directors and theatrical stars. That association urges the adoption of legislation permitting the "soldiers' vote" in the elections of 1944. I am informed by the association headquarters that their members also consider it important that, once the "soldier" has been given the right to vote, he has the right to know FOR WHOM he is voting.

To have the right to vote is a very sacred privilege; and to hold our elections according to the plain mandate of the Constitution of the United States is absolutely essential; otherwise such elections may, by court decree, be invalidated, resulting in universal disfranchisement.

BUT—would it prove shocking to our State Legislators to say that—we have not elected a President and Vice President of the United States according to the plain terms of the Constitution since the year 1804—not 1904—but 1804—140 years ago?

The Federal Constitution provides that each State shall be guaranteed a "Republican Form of Government." A republican government is one wherein, according to Webster, public officials are elected by, and responsible to—the PEOPLE.

The first requisite must be—that the PEOPLE should know for whom they are voting; that no form of hide and seek would prevail on our voting ballots to prevent the voters from knowing the names of candidates seeking approval at the hands of the public at election time. Otherwise it will be possible—and likewise become very probable—that candidates whose names will not bear public scrutiny will seek approval at the election polls by hiding their names behind some sort of "safe refuge" and thus prevent detection and very probable defeat.

SURPRISE QUESTION: "Do you mean to say that it is necessary to even speak of this matter in the progressive State of California?"

Yes—I mean just that. For, in the State of California we have already become the victims of the most vicious system known in the history of elections in the United States.

Up to, and including the national election in 1936, candidates for Electors for President and Vice President had their names entered on the November ballot, and likewise had their names entered on the Sample Ballot mailed to each voter prior to the date of the election in the State of California.

Without notice to the voters of this State that a most drastic step was to be taken, the Legislature of 1937 changed the State Election Code so that in the national election year of 1940, the names of candidates for Electors for President and Vice President were entirely eliminated from the November ballot at the general election. Not only that—but the names of such candidates did not appear on any sample ballot of any kind, nor were those names ever submitted to the voters in California by mail or otherwise, nor ever having been advertised in any newspaper in the State.

On the November ballot in 1940 appeared the caption: "PRESIDENTIAL ELECTORS." In the column under this title were printed the names—NOT of the candidates for Electors for President and Vice President—BUT—the names of the candidates for President and Vice President of five separate political parties. After the November election, the Secretary of State in California certifies to the Governor that the Electors for President and Vice President of a given party have been duly elected at said November general election: the Governor, in turn, certifies to each such candidate for Elector for President and Vice President that he or she has been duly elected.

QUESTION: How can it be presumed that by casting a ballot for a candidate for President and Vice President, that TWENTY-FIVE candidates for Electors for President and Vice President have been duly elected—when their names never were known to the voters who cast their ballots?

"Vote for Eddy Bergen—and behold—you find that you have elected a Charley McCarthy." should make a good slogan for the political manipulators who would thus rip our Constitution to pieces and defy the will of the PEOPLE.

Following the November election in 1940 I wrote to our California Secretary of State, pointing out at least SIX major violations of the Constitution of the United States and of the Constitution of California in the form used for the ballots at the

general presidential election in November. The Secretary of State answered my letter by saying that the matters of which I spoke could not be properly analyzed by his office, and the only way to obtain the proper answers would be to present the questions to courts of competent jurisdiction.

And again not taking the voting public into its confidence, the California Legislature in 1941 further encroached on our Constitutional voting powers by changing the Election Code whereby the Fifty Candidates for Delegates to the National Convention of each of the several political parties shall NOT have their names recorded on the Presidential Preferential Primary Ballot in May of each presidential-election year. Instead, under the Caption of "DELEGATES TO THE NATIONAL CONVENTION" will appear ONLY the name of a candidate for president to whom, allegedly, FIFTY candidates for Delegates To The National Convention have pledged their support. Perhaps due to the protest made by the writer to the Secretary of State in November, 1940, regarding the omission of the "Presidential Electors" names from the ballot, and their omission from any type of official advertising, the 1941 Legislature provided sort of a make-shift proposition for advising the voters of the names of the candidates for Delegates To The National Convention, whereby those names, although NOT appearing on any kind of sample ballot, are to be printed on a separate sheet of paper to be enclosed with the sample ballot for the May Primary election.

Such candidates for Delegates To The National Convention are subject to appointment as candidates ONLY by the person seeking the Presidency of the United States, or by the State Campaign Committee which he has approved. Thus it is seen that an "Al Smith," or an "Al Capone," not a resident of California, can absolutely govern the selection of such candidates for Delegates and the PEOPLE of California have NO choice in the matter whatever, thus defeating entirely the purpose for which the May Primary was originally established.

When the voter casts his or her ballot for a candidate for President at the May Primary Election, it is to be presumed—by some sort of magic reasoning—that the voter actually voted for FIFTY persons whose names do NOT appear on the ballot. By the same sort of magic reasoning, the Secretary of State sends a Certificate of Election to FIFTY persons, whose names were never on the ballot, saying to them, each one of them, that he or she has been elected a Delegate To The National Convention.

QUESTION: How can it be presumed that FIFTY of such candidates for Delegates have been duly elected by the PEOPLE of California when the names of such candidates were not even on the ballot?

How can the Secretary of State legally or consistently certify to FIFTY John Does that they have been elected when the voters of this State did NOT vote for them by ballot?

Mr. C. Nelson Sparks, former Mayor and former Postmaster of Akron, Ohio, has recently written a new book, published by a New York publisher, wherein he reveals methods used in the national conventions of political parties; and he names one major political party involved in disgraceful manipulations at its national convention of 1940. He tells of how he was offered a cash bribe in the convention if he would swing the Arizona Delegation for a certain candidate for president, and that the man who made the proffer said they had a "roomful of money" with which to buy the convention vote for that candidate. Author Sparks points out that one of the main weaknesses of the convention system is that only those financially able can attend a national convention; and that the temptation is great for financially-weak delegates to accept bribes in exchange for their votes.

CONSIDER THEN: That under the new code of 1941 in California, the weakest members of society may be hand-picked by a presidential candidate who lives outside of our State and be sent to a national convention to switch—on the second ballot—to the politicians who offer the most money for their votes. Delegates selected in the manner described above, do NOT, as the California Election Code says, "represent The State Of California"; they represent ONLY the presidential candidate to whom they have pledged their first vote at the national convention, after which, they may drift into fields a million miles from the desires of the voters of the State of California; therefore, they do NOT represent the PEOPLE of this State, nor are they responsible to them; they are responsible ONLY to the presidential candidate who appointed them—and responsible to him only for the first ballot taken by the convention; and after that—it is anybody's game who supplies the "long, the thin and green."

Mr. C. Nelson Sparks, above referred to, declared to a Chicago audience last week that an "International Trusteeship" was to nominate the candidates for the presidency in both of our major political parties in 1944. Under the present terms of our California Election Code wherein it becomes impossible for the voters to send an independent or unstructured delegation to either of the major party conventions, there is no way in which we can prevent such an "International Trusteeship" from usurping the powers of the people of this State in the Presidential Primary election in May.

Under the present Electoral College System, which has operated only after a fashion and that fashion very definitely UNconstitutional—it is possible for TWELVE States to elect a president and vice president: these States being: Cali-

ifornia, Illinois, Indiana, Iowa, Massachusetts, Missouri, New Jersey, New York, Ohio, Pennsylvania, Texas, and Wisconsin, with a combined number of 268 votes in the Electoral College. (California with three additional votes based on increased number of Congressmen, brings this total to 271 votes.)

The remaining 36 States, with a total popular vote of SIXTY MILLIONS, have but 263 votes in the Electoral College. The twelve States above mentioned, with a popular vote of less than TWENTY FOUR MILLIONS, can thus out-vote SIXTY MILLION people in the other 36 States.

FASCISM as we generally understand the meaning of that word, means DICTATORSHIP, and political despotism which defies the will of the PEOPLE. Is it not political despotism in action to permit a minority group of 24 to out-vote a majority group of 60? Is it not FASCISM in action to permit a non-resident politician to appoint FIFTY people as candidates for Convention Delegates without their names ever being on the ballot, and send them to some distant city, far removed from proper surveillance by our own law-enforcement officials, perhaps to sell the people of California "down the river?" Or—would you call this—DEMOCRACY? Where have we heard that word before?

Three weeks ago I suggested in a letter to Governor Earl Warren that he include in his call for this special session of the Legislature, consideration of a Memorial from our Legislature to Congress requesting an amendment to the National Constitution which would abolish the out-moded Electoral College system, and provide means by which the voters may elect our President and Vice President by direct balloting. The Governor's Legislative Secretary advised me that the Governor desired to withhold such proposal at this special session which is to begin today, January 27, 1944, but that the "Governor contemplates a further special session to handle urgency problems which the State is presented with, and your letter will be at hand for consideration at that time."

The writer of this letter has prepared a bill for submission to the Legislature which will correct, temporarily at least, the inconsistencies now found in the California Election Code as they relate to the method by which Delegates are sent to National Conventions, and the method by which the Presidential Electors are selected, making such changes in our present laws as will be consonant in spirit and letter with the Constitution of California and the Constitution of the United States, and that will protect the PEOPLE from being cheated out of their inherent right to KNOW the names of the persons who are supposed to be elected at the May Presidential Primary and the General Election to be held in November.

In brief, I am proposing that the method by which delegates to national conventions are to be elected—with their names printed on the ballot—shall be the same as it was prior to the adoption of amendments in 1941. And that the method by which Presidential Electors are to be elected—with their names printed on the ballot—shall be the same as it was prior to the adoption of amendments in 1937.

Adoption of the foregoing suggestions at this special session of the Legislature will at least bring us within the scope of our Constitutional rights to KNOW the names of the candidates for whom we are voting. A make-shift, of course, until my proposal is adopted relating to a Constitutional Amendment abolishing the Electoral College System, and the establishment of the new system whereby the PEOPLE of the United States will be enabled to elect their President and Vice President by direct vote.

Through the use of a new method whereby the President and Vice President will be elected by a direct vote of the PEOPLE, we will, for the first time in the history of the United States, be afforded the privileges of a "REPUBLICAN FORM OF GOVERNMENT" in our National affairs—as we are guaranteed such form in our State affairs by the present terms of the Federal Constitution. We will thus forever abolish the FASCIST type of convention system which was designed by self-seeking politicians who would not trust the judgment of the voters of this great Nation to elect their own President and Vice President.

In preparing these proposals I have conferred with the ablest and most qualified men and women in America. Direct election of President and Vice President by the common people will sound the death-knell of gang-politics in the selection of these two highest officers in our land. No man or set of men will ever again be able to control, by crooked and sleek manipulation in FASCIST conventions, the destiny of these—the two most powerful offices in the Government of the United States of America.

In the name of the entire citizenry of our Nation I call upon you, the elected representatives of the PEOPLE of California, to boldly take the step essential to releasing our voters from the vise of the political despot who has already made FASCISM operative in the election system in our Golden State. And I close, as I began this letter—with the cry of the phantom soldier: "I DIED FOR NOTHING—if not the right to vote."

Respectfully submitted,

ANDRAE B. NORDSKOG

RESOLUTIONS

The following resolutions were offered :

By Messrs. Hawkins, Collins, George D., Berry, Dills, Ralph C., Debs, Dunn, Dills, Clayton A., and Evans :

House Resolution No. 24

Relating to memorialization of Congress to enact legislation for a simplified ballot for distribution to the armed forces and Merchant Marine.

WHEREAS, The Secretary of War and the Secretary of the Navy have filed written reports with the House Committee on Elections pointing out the practical difficulties of administration facing the Army and the Navy under 48 different systems, said reports specifically pointing out that we could have "no assurance that the States would act in pursuance thereof," and that "it is most uncertain that the 48 States would pass legislation which would be reasonably uniform in operation and simple for the War and Navy Departments to administer. Without such uniformity and simplicity the objective of giving the maximum opportunity for voting to the members of the armed forces could not be attained"; and

WHEREAS, On the matter of physical distribution it was further pointed out that "air mail facilities could not sustain such a burden" of 48 separate mailings as would be required under the various State laws; and

WHEREAS, It was stated by both the Secretary of War and the Secretary of the Navy to the House Committee that the proposed resolution calling upon the States to set up election machinery for Soldier voting "might place burdens upon the services which could not be effectively discharged in wartime, and might, to that extent, fail to provide any opportunity to service-men to vote," and

WHEREAS, Practical experience in the 1942 elections showed that out of approximately 4,000,000 men and women in the armed forces, only 28,000 ballots were cast by them under State laws; and

WHEREAS, Further, under State laws we do not have assurance that the poll tax will be abolished as a prerequisite for voting, thus making it practically impossible for those men and women in the military service of our Country from such States as still levy such a tax, to exercise the right of voting, a right for which they are now fighting and risking their lives; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress be memorialized to pass such legislation as will set up a simplified uniform ballot distributed by Federal authorities and that such ballots be distributed to the members of the armed services and to the Merchant Marine; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Waters, Werdel, Johnson, Dickey, Robertson, King, Doyle, and Kellems :

House Resolution No. 25

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of each of the following to be delivered at the Assembly Chamber :

Deering's Codes @ \$87.50 a set ;
Larmac 1943 Index @ \$12.50 each ;
Attorney General's Opinions @ \$25.25 a set ;

and be it further

Resolved, That the Chief Clerk is instructed to deliver one set of Deering's Codes, one Larmac Index and one set of Attorney General's Opinions to each Member of the Assembly, and two sets to Chief Clerk and; be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly for ten thousand two hundred seventy dollars and fifty cents (\$10,270.50) in payment for the above supplies, and the State Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Rules and House Functions.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO (2), CALIFORNIA, January 27, 1944

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

APPROPRIATION TO INTERIM
COMMITTEE OF PRIOR SESSION—No. 286

DEAR MR. OHNIMUS: It is our opinion that an appropriation may not be made from the Contingent Fund at the special session of the Legislature convened on January 27, 1944, to augment the appropriation for an Interim Committee created at the last regular session of the Legislature, unless the subject matter which such committee is empowered to investigate comes within one of the subjects specified in the Proclamation convening this Legislature in special session.

In 1939, our Supreme Court held that it required an act of legislation to create a committee with power to act after final adjournment (*Special Assembly Int. Com. vs. Southard*, 13 Cal. (2d) 497; *Swing vs. Riley*, 13 Cal. (2d) 513).

In 1940, Section 37 was added to Article IV of the Constitution conferring the power to create such a committee by resolution. Such a resolution, in our opinion, is an act of legislation and, under Section 9 of Article V of the Constitution, would have to be on a subject specified in the Proclamation convening the Legislature to meet in special session.

It is our view that a resolution appropriating money to such a committee is of equal dignity with a resolution creating such a committee, and therefore within the principles announced in the Interim Committee cases cited above.

We do not believe that Section 9 of Article V of the Constitution furnishes any support for a contrary view because of the permission contained therein for the Legislature to "provide for the expenses of a session in other matters incidental thereto". This language appears to tie the power to provide for expenses down to "expenses of the session" and as such an Interim Committee owes its being to a prior session of the Legislature the appropriation for its expenses would not be permissible.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

APPOINTMENT OF SPECIAL COMMITTEE

The Speaker announced the appointment of Messrs. Collins, Sam L., Robertson, and Weber, as a Special Committee to further study the question concerning the possibilities of giving legislative bills a name which would identify them as being sponsored by both an Assemblyman and a Senator.

LETTER BY SPEAKER LYON

The following letter by Speaker Lyon was read, and ordered transmitted to Lieutenant Governor Frederick F. Houser:

Honorable Frederick F. Houser, President of the Senate
Senate Chamber, Sacramento (14) California

DEAR GOVERNOR: May I invite your attention to the opinion of the Legislative Counsel which is printed in the Assembly Journal of January 27, 1944, at pages 10 and 11, concerning the possibilities of giving legislative bills a name which would identify them as being sponsored by both an Assemblyman and a Senator.

I have appointed a committee consisting of Assemblymen Sam L. Collins, Alfred W. Robertson, and Charles M. Weber to further study this question. I am sure the Assembly Committee would be pleased to confer with a like committee from the Senate if such a committee were appointed.

With best and kindest wishes, I am

Respectfully yours,

CHARLES W. LYON

APPOINTMENT OF SPECIAL COMMITTEE

Pursuant to the provisions of House Resolution No. 11, the Speaker announced the appointment of Messrs. Collins, Sam L. Weber, and Doyle, as the Special Committee of Three to ascertain the best procedure for obtaining photographs of former Speakers, and the most suitable manner for their placement in a frame.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Dunn, Carlson, Dickey, Carey, Johnson, and Lyon:

House Resolution No. 26

Relating to the death of Mrs. Bridget Sheridan

WHEREAS, The Members of this Assembly have been deeply grieved to learn of the death of Mrs. Bridget Sheridan, mother of Bernard A. Sheridan, member of this body; and

WHEREAS, The Members of this Assembly are aware of the great sorrow that her passing has brought to Bernard Sheridan, that every man must feel at the loss of the one person whose love is completely unselfish and unwavering; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express to Bernard Sheridan and to the other children of Mrs. Bridget Sheridan their sincere sympathy; and be it further

Resolved, That when the Assembly this day adjourns it do so out of respect to the memory of Mrs. Bridget Sheridan; and be it further

Resolved, That suitably engrossed copies of this resolution be transmitted to Bernard A. Sheridan and to the other children of Mrs. Bridget Sheridan.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 26, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolutions were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Joint Resolution No. 6.

Assembly Joint Resolution No. 7.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were reported back from the Legislative Counsel Bureau, and read:

Assembly Joint Resolution No. 6: By Messrs. Desmond and Gannon—Relative to Standard Time.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 7: By Messrs. Bashore, Desmond, Burns, Clarke, King, Crowley, and Haggerty—Relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 28, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No. 1

And reports the same correctly engrossed.

PELLETIER, Chairman

Above resolution ordered on file for adoption.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTIONS
NOS. 23 AND 24 FROM COMMITTEE

Mr. Hawkins gave notice that on the second legislative day, he would move to withdraw House Resolutions Nos. 23 and 24 from the Committee on Rules and House Functions, and have them placed upon the file.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 27

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of one thousand nine hundred seventy-five dollars (\$1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars (\$1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars (\$25).

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 27, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Knight, T. Fenton, Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Price, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. Frank L. White-lock, President of the California Real Estate Association, and Mr. Frank Mogle, Supervisor of San Bernardino County.

ADJOURNMENT

At 12.15 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 11 a.m., Saturday, January 29, 1944, out of respect to the memory of the late Honorable Henry E. Carter, Honorable Arthur A. Weber, Mrs. Emma May Burns, mother of Senator Hugh M. Burns; Honorable Thomas A. Baker, Mrs. Bridget Sheridan, Honorable Friend William Richardson, and Honorable H. S. G. McCartney.

C. WILLIAM QUEALE, Minute Clerk

CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Saturday, January 29, 1944

The Assembly met at 11 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Buckhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Hagerty, Hastain, Hawkins, Heisinger, Holthbaugh, Johnson, Kellens, Kilpatrick, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—76.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by Hon. Lorne D. Middough, Member of the Assembly from the Seventieth District:

All hail the power of Jesus' name
Let Angels prostrate fall.
Bring forth the royal diadem
And crown Him Lord of All.

Yes, we, in our weakness do hail You as Lord of All this morning, fully realizing that we need Your help, Your guiding strength, Your inspiration.

Therefore, hear us as we pray the prayer You taught Your Disciples to pray:

(All repeat the Lord's Prayer)

Our Father Who art in Heaven, Hallow'd be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our debts as we forgive our debtors, and lead us not into temptation, but deliver us from evil, for Thine is the Kingdom, and the power, and the glory forever. AMEN.

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Heisinger.

COMMUNICATIONS

By Mr. Hawkins:

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO (2), CALIFORNIA, January 27, 1944

Honorable Augustus F. Hawkins

Assembly Chamber, State Capitol, Sacramento, California

CORRECTION OF ERROR IN PRIOR RESOLUTION CREATING INTERIM COMMITTEE—
No. 316

DEAR MR. HAWKINS: You have called our attention to the fact that Assembly Concurrent Resolution No. 45 (1943 Res. Ch. 128) through inadvertence limits the powers of the Interim Committee thereby created so that it may not act after final adjournment of the Legislature, and inquire whether this error may be corrected at the special session of the Legislature convened on January 27, 1944.

In 1939, our Supreme Court held that it required an act of legislation to create a committee with power to act after final adjournment (*Special Assembly Int. Com. vs. Southard*, 13 Cal. (2d) 497; *Swing vs. Riley*, 13 Cal. (2d) 513).

In 1940, Section 37 was added to Article IV of the Constitution conferring the power to create such a committee by resolution. Such a resolution in our opinion is an act of legislation, and under Section 9 of Article V of the Constitution would have to be on a subject specified in the Proclamation convening the Legislature to meet in special session.

We feel that an attempt by the Legislature at this session to extend the powers of a committee created by another session of the Legislature would be an act of legislation within the principle set forth in the Interim Committee cases cited above, and that any such resolution would be ineffective to accomplish the purpose intended, unless the matters to be investigated by the committee be within one of the subjects specified in the Proclamation convening this special session.

We find no subject in the Proclamation that would cover an investigation of old age pension advocates and promoters, the function of the committee involved.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

PRESENTATION OF BILLS FOR INTRODUCTION

The following bills were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Constitutional Amendment No. 1.

Assembly Bill No. 4.

Assembly Bill No. 5.

Assembly Bill No. 6.

Assembly Joint Resolution No. 8.

Assembly Joint Resolution No. 9.

INTRODUCTION, FIRST READING, AND REFERENCE OF
ASSEMBLY BILLS

The following bills were reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Constitutional Amendment No. 1: By Messrs. Bashore, Haggerty, King, Clarke, Burns, Desmond, Wollenberg, and Thurman—Proposed amendment to Section 1 of Article XIII of the Constitution, relative to revenue and taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 4: By Mr. Allen—An act to amend Sections 2101, 2103, 2104, 2105, 2106, 2110, 2150, 2153, 2156, 2200, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 2810, 3004, 3800, 3804, 3829, 3871, and 3879 of the Elections Code, to repeal Sections 3709.5, 3805, 3830, 3873, 3878, and 3880 thereof, and to add Sections 2109, 2151,

2154, 2202, 2257, 2302, 2303, 3805, 3830, 3873, 3874, 3875, 3876, 3877, 3878, and 3880 to, the Elections Code, relating to the election of delegates to party National Convention and electors of President and Vice President.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 5: By Messrs. Gaffney, Lowrey, Berry, Armstrong, Gannon, Guthrie, Allen, Clarke, McMillan, Massion, Dunn, and Denny—An act to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7964.5, 7971.5, and 7972.5 to, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 6: By Messrs. Bashore, Haggerty, and King—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Joint Resolution No. 8: By Messrs. Miller and Thompson—Relative to commending the patriotic efforts of the United States Treasury Department, Defense Savings staff and those of the volunteer workers in cooperation therewith in the Fourth War Loan Drive and to urge generous public support thereof.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 9: By Mr. Rosenthal—Relative to memorializing Congress to pass the Green-Lucas Bill, providing for a uniform and efficient procedure for absentee voting by service men.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2

Assembly Joint Resolution No. 7

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

Special Committee on Penal System Reform

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Special Committee on Penal System Reform, to which was referred:

Assembly Bill No. 1

Has had the same under consideration, and respectfully reports the same back without recommendation.

FIELD, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 1

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 3

Assembly Concurrent Resolution No. 8

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 28, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 1

Senate Joint Resolution No. 2

Senate Joint Resolution No. 3

Senate Concurrent Resolution No. 5

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 1—Relative to memorializing the Bureau of Reclamation, Secretary of Interior, and Secretary of War to take immediate action to protect Needles, California, and vicinity, from further damage and dangers resulting from the filling in of the Colorado River bed and the rise of the river since the completion of Federal Projects upon that river.

Referred to Committee on Rules and House Functions.

Senate Joint Resolution No. 2—Relative to increase of price of crude petroleum.

Referred to Committee on Rules and House Functions.

Senate Joint Resolution No. 3—Relative to memorializing Congress to enact legislation to make possible the 1944 Sugar Beet Program recently announced by the Federal War Food Administration.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 5—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 4, 1943.

Ordered held at the desk by unanimous consent.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 28

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrant on the proper fund in favor of the following Member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat, more or less	Distance from county seat, more or less	Mileage one way	Total mileage	Amount at 5 cents per mile
54	John B. Knight	-----Eagle Rock, Los Angeles County-----	447	--	447	894	\$44 70

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 28, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Dickey, Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Fourn, Gaffney, Gammon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kelless, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Maloney, Massion, McCollister, McMillan, Middough, Miller, Pelletier, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

By Messrs. Thompson, Miller, and Maloney:

House Resolution No. 29

WHEREAS, This Assembly is advised of the recent death of Alvin W. Miller, a veteran of the First World War, at the Veteran Hospital at San Francisco; and

WHEREAS, Mr. Miller was well and favorably known to the members of this body as its very efficient and courteous Assistant Sergeant-at-Arms during the Fifty-fifth Session, and was the brother of James A. Miller, a former Assemblyman; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly express its admiration for Alvin W. Miller, and its sincere sorrow at his passing; and be it further

Resolved, That a suitably prepared copy of this resolution be presented James A. Miller, his brother.

Mr. Thompson asked for, and was granted, unanimous consent to take up House Resolution No. 29, at this time, without reference to committee.

Resolution read and adopted unanimously.

By Messrs. Weybret, Bashore, Clarke, Collins, Sam L., Lyon, Leonard, Guthrie, Hastain, and Robertson.

House Resolution No. 30

WHEREAS, California effectively contributed to the winning of the war by increasing the production of food and fiber during 1943, despite handicaps resulting from war conditions; and

WHEREAS, It is fitting and proper that tribute be paid to those who have been instrumental in contributing to this achievement; and

WHEREAS, Such results could not have been attained without the cooperation of our Sister Republic, Mexico, and those of its citizens who left home and families to labor in strange fields in furtherance of the cause of the United Nations; and

WHEREAS, The citizens of Mexico, while engaged in agricultural work in this State, have at all times comported themselves so as to reflect honor and glory upon their Country and to bind more strongly the ties of friendship that exist between this Country and the United States of Mexico; and have, in addition to their intensive efforts in the cause of producing food and fiber, aided the prosecution of the war by the purchase of war bonds, and have cooperated fully and completely with civilian and military authorities at all times; and

WHEREAS, The responsible officials of the Republic of Mexico and of this State and Country have been zealous to foster the friendly atmosphere that has been engendered by this mutual effort upon the part of this Country and the United States of Mexico; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby expresses its appreciation to the Republic of Mexico and to its citizens who have made common cause with us, and to all participating officials for their efforts to enable this State to bring its shoulder effectively to the wheel of production; and be it further

Resolved, That it is the sincere desire of this Assembly that California may continue to have as its guests the citizens of its southerly neighbor, and that the existing spirit of understanding and good will shall continue to flourish; and be it further

Resolved, That copies of this resolution shall be sent by the Chief Clerk of the Assembly to the President and Vice President, and to the Secretary of State with the request that, if he deem it appropriate, the sentiments of this Assembly be made known to the proper officers of our Sister Republic.

Request for Unanimous Consent

Mr. Weybret asked for, and was granted, unanimous consent to take up House Resolution No. 30, at this time, without reference to committee. Resolution read and adopted unanimously.

By Mr. Doyle:

House Resolution No. 31

Relating to commending the railroads and their personnel for the exceptionally competent performance of services throughout the Nation in this present war emergency.

WHEREAS, The extensive nature of the global war in which the United States of America is now engaged necessitates an ever increasing employment of rail transportation services throughout the Nation; and

WHEREAS, It has been shown that all railroad lines throughout the Nation have practically a 100 per cent record in the handling of troops and military freight in addition to civilian traffic; and

WHEREAS, This record of high efficiency established by the railroads and their personnel in the present war emergency has earned the sincere appreciation and commendation of the people of the Nation; now, therefore, be it

Resolved by the Assembly of the State of California, That the railroads and their personnel throughout the Nation be highly commended for the exceptionally competent performance of services in the present war emergency, and thus effectively contributing to the war efforts of the United States of America; and, be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and to each Member of the House of Representatives from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Kraft:

House Resolution No. 32

Relating to the death of George B. Bowers

WHEREAS, The Members of this Assembly are deeply grieved that death has recently taken George B. Bowers; and

WHEREAS, George B. Bowers in 1931 and 1933 served in this Assembly, representing the Seventy-eighth District of San Diego, and faithfully and ably discharged his responsibilities in that capacity, earning the respect and friendship of those who served with him; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby pay tribute to George B. Bowers, and extend sincere sympathy to the members of the family of George B. Bowers; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of George B. Bowers; and be it further

Resolved, That a suitably engrossed copy of this resolution be prepared and transmitted to Mr. Bowers' family.

Request for Unanimous Consent

Mr. Kraft asked for, and was granted, unanimous consent to take up House Resolution No. 32, at this time, without reference to committee. Resolution read, and adopted by a rising vote of the Assembly.

By Messrs. Desmond and Collins, Sam L.:

House Resolution No. 33

Relating to the death of Mrs. Mary Lyons

WHEREAS, The Members of this Assembly are deeply grieved that death has come to Mrs. Mary Lyons, mother of John C. Lyons, our friend and associate; and

WHEREAS, The Members of this Assembly are fully conscious of the grief that her passing has brought to John C. Lyons, and of the irreparable loss of the loyalty and devotion that a mother offers to her children; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express to John C. Lyons and to the other members of the family of Mrs. Mary Lyons their understanding and sincere sympathy; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Mrs. Mary Lyons; and be it further

Resolved, That suitably engrossed copies of this resolution be presented to John C. Lyons and the other members of the family of Mrs. Mary Lyons.

Request for Unanimous Consent

Mr. Desmond asked for, and was granted, unanimous consent to take up House Resolution No. 33, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

By Mr. Allen:

House Resolution No. 34

Relative to memorializing Congress to submit constitutional amendment abolishing the Electoral College System and providing for presidential and vice presidential elections by direct vote.

WHEREAS, All elective officials of the United States, with the exception of the President and Vice President are elected directly by the people of the United States; and

WHEREAS, The voters of the United States must vote indirectly (under the Electoral College System prescribed by the Constitution of the United States) for the candidates of their choice for the offices of President and Vice President; and

WHEREAS, At the time of the adoption of the Constitution of the United States the Electoral College System was prescribed with the object of having the presidential electors exercise independent judgment in voting for the men to occupy the two highest offices in the land; and

WHEREAS, That system has not for many years accomplished and does not now, effectuate the purpose for which it was originally adopted; and

WHEREAS, That system of voting is awkward, cumbersome, outmoded, and time-consuming; and

WHEREAS, Under the Electoral College System there exists the possibility that presidential electors may act in bad faith and vote for some person other than the candidate for whom they were pledged to vote; and

WHEREAS, There is no valid reason for longer maintaining such a procedure of voting; and

WHEREAS, In 1913 the old method of having the Legislatures of the several States choose United States Senators was changed by the adoption of the Seventeenth Amendment which provided for direct election of the Senators by the people of the United States; and

WHEREAS, The election of Senators by the direct vote of the people has functioned satisfactorily; and

WHEREAS, The voters of the United States should be permitted to vote directly for the candidates of their choice for the two highest offices in the land; now, therefore, be it

Resolved by the Assembly, That the Congress of the United States is hereby memorialized to submit to the several States of the Union for ratification a constitutional

amendment providing for the direct election of the President and Vice President of the United States; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby instructed to forward copies of this resolution to the President and Vice President, to the Speaker of the House of Representatives, to the Senate, the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

MOTION TO PRINT LETTER IN JOURNAL

On motion of Mr. Sawallisch, the following letter was ordered printed in the Journal:

January 29, 1944

*Honorable John W. Evans, Member of the Assembly
State Capitol, Sacramento, California*

DEAR JOHN: Receipt is acknowledged of your letter of January 28th, in which you requested that I call a meeting of the Assembly Interim Committee on Public Morals to be held in Los Angeles in the very near future for the purpose of conducting a public hearing with reference to the boxing business in that part of the State.

You further requested that the committee make a complete investigation of the Carlo Malacarra vs. Jerry Moore bout held at the Hollywood Stadium on December 3 and the Ernie Rios vs. Watson Jones bout held at the Olympic Auditorium on December 7th.

I recently noted from the press that Governor Warren appointed William Houghton to the State Athletic Commission and the Governor, at that time, stated it was his wish and desire that Mr. Houghton lead a campaign to clean up boxing in California. I am further informed that Mr. Houghton has signified his intention to comply with the Governor's wishes.

I also noted that Willie Richie, Chief Boxing Inspector in Los Angeles, recently made certain accusations before a meeting of the State Athletic Commission in Los Angeles with reference to the general condition of boxing in Southern California. In reply to a letter from Mr. Richie, in regard to this situation, Governor Warren indicated his confidence in Mr. Richie and promised that the entire matter would receive careful scrutiny by the proper authorities.

In view of the Governor's desire in this matter and your request for a hearing, I shall accordingly call a meeting of the Assembly Interim Committee on Public Morals to be held in the State Building, in Los Angeles, commencing on Friday, February 11, 1944, at 10 o'clock a.m. I am sure you would not make such a request unless you are in a position to produce evidence which warrants a study of the entire matter.

I reflect the views of the entire committee when I say that we are all possessed of a sincere desire to do everything possible to assure California of clean boxing and officials and participants in the sport who possess both honesty and integrity.

I am aware of the progress and benefits afforded disabled veterans at the Yountville Home for Disabled Veterans through the efforts of the American Legion in Southern California. In the last few years, by their program of clean boxing, the American Legion in Southern California has made a substantial contribution to the cause of the Yountville Home.

In calling this hearing, I desire to state that the committee will not confine its study to Southern California but will investigate conditions in the North as well as in the South. It is our desire to give everyone an opportunity to appear before the committee and present their views and we do not want to cast any reflections on any person who is not responsible for the conditions of which you complain.

In accordance with your request, I shall have all members of the State Athletic Commission at the hearing and also Mr. Richie, Charlie McDonald, matchmaker at the Hollywood Legion Stadium, Ernie Orfila, attorney for the Hollywood Legion Stadium, and Abe Roth, referee.

Sincerely yours,

HAROLD F. SAWALLISCH

REQUEST FOR UNANIMOUS CONSENT

Mr. Robertson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 4, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Weybret, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolutions were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Concurrent Resolution No. 9.

Assembly Concurrent Resolution No. 10.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were reported back from the Legislative Counsel Bureau, and read:

Assembly Concurrent Resolution No. 9: By Messrs. O'Day, Maloney, Berry, Gaffney, Haggerty, Brady, Wollenberg, and Collins, George D. —Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of November, 1943.

Ordered printed, and held at desk by unanimous consent.

Assembly Concurrent Resolution No. 10: By Messrs. Call, McCollister, Maloney, Sawallisch, Sheridan, Fourt, Dickey, Wollenberg, and Carey—Relative to pay scales of State employees.

Referred to Committee on Rules and House Functions.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Gaffney, Berry, Collins, George D., Gannon, King, Denny, Carlson, Lowrey, Hawkins, Anderson, and Thomas:

House Resolution No. 35

Relating to memorializing Congress urging the enactment of a Federal Absentee Voters Law covering service men and service women

WHEREAS, Approximately 10,000,000 citizens are now in the military services and Merchant Marine of the United States; and

WHEREAS, The vast majority of these American citizens are eligible to vote; and
WHEREAS, Our service men are now fighting in a global war to maintain our form of government; and

WHEREAS, It is necessary for the success of that governmental system that the vote of the people be truly representative; and

WHEREAS, Those in the military forces and Merchant Marine should be given the maximum opportunity for voting; and

WHEREAS, Several States have enacted statutes varying in their provisions, while other States have wholly neglected to provide any procedures for voting by members of the services; and

WHEREAS, There is an imperative need for adequate, uniform machinery for absentee balloting by our military and Merchant Marine personnel; and

WHEREAS, The Federal Soldier Voting Law now in effect is not satisfactory; and

WHEREAS, National legislation is necessary to afford the members of our armed forces and Merchant Marine all over the world an opportunity to cast their ballots without time consuming correspondence and without waiting for the separate States to hold primaries, print and forward ballots; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress be memorialized to enact such legislation as will make eligible to vote for all Federal officials in the presidential primary and at the general election in November all service men and service women and members of the Merchant Marine who are citizens and who shall have attained the age of 21 years or over by the date of the presidential primary or the November general election at which they cast their ballots, and said eligibility to vote for Federal officials shall not be limited or circumscribed by any State requirements for registration or voting, reserving unto the States, however, the privilege of canvassing and counting the votes; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby ordered to forward copies of this resolution to the President and Vice President of the United States, to the Secretary of War, to the Secretary of the Navy, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Maloney, Gannon, Lowrey, Erwin, Wollenberg, Gaffney, Haggerty, Collins, George D. Berry, Hollibaugh, O'Day, Kellems, Sawalisch, Heisinger, Miller, Thompson, Stream, Doyle, Carey, Leonard, Sheridan, Kraft, King, Kilpatrick, Lyons, Rosenthal, Clarke, Werdel, Weybret, Burkhalter, Bennett, Debs, Armstrong, Price, and Mrs. Niehouse:

House Resolution No. 36

Relative to urging the people of the State of California to buy war bonds to avenge Americans who have suffered Japanese atrocities

WHEREAS, On January 28, 1944, the United States Army and Navy released official statements of brutal treatment and murder of American prisoners of war by the Japanese Army; and

WHEREAS, These reports are not founded upon rumor but are official reports made by officers of the United States Army and Navy who have escaped their Japanese captors and returned to the United States to report the facts of treatment of American and Filipino prisoners of war taken by the Japanese at the fall of Bataan and Corregidor; and

WHEREAS, These reports are a chronicle of uncivilized and inhuman torture inflicted upon helpless prisoners, Americans, who, after valiant battle against great odds, had honorably surrendered to be held as prisoners of war; and

WHEREAS, These men were herded like cattle on a forced march of death for six days under a tropic sun, the wounded and sick with the others, without food or water, shot if they tried to reach the sweet waters flowing plentifully from wayside wells, horsewhipped if they helped a fallen comrade, beaten with two-by-four timbers, and, when maddened by their torments they fled their captors, were beheaded, murdered, or buried alive; and

WHEREAS, The heart of every American is anguished that these our own should have so suffered, and filled with a just rage that an enemy so cruel and vicious still vents his savagery upon our men and women taken in battle and upon our helpless sick and wounded; and

WHEREAS, The purchase of war bonds is one most effective way in which American civilians can give expression to their indignation and horror at these atrocities; can give themselves in single purpose to join in the fight with our thousands of men in the islands, on our ships, and in the skies of the Pacific by giving them equipment speedily to bring this infamous foe to decisive battle, to put an end to his savage cruelties, to shatter forever his fantastic dreams of world conquest, and to bring release to those of his helpless captives who still have life; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby appeals to the people of the State of California, and to all Americans, to buy war bonds to the full extent of their resources, and urges upon them the necessity immediately to let every dollar work and fight for an end to this war in a complete, quick, and final Allied victory.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 36, at this time, without reference to committee.

Resolution read.

Demand for Previous Question

Messrs. Allen, Waters, Watson, Lyons and Kilpatrick demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 36.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—74.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT

Mr. O'Day asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, without reference to committee or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9

Assembly Concurrent Resolution No. 9—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of November, 1943.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

PRESENTATION OF BILLS FOR INTRODUCTION

The following bills were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Bill No. 7.

Assembly Joint Resolution No. 10.

Assembly Joint Resolution No. 11.

Assembly Joint Resolution No. 12.

Assembly Joint Resolution No. 13.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Bill No. 7: By Mr. Sam L. Collins—An act making an appropriation for expenses of Members of the Assembly pursuant to Section 352 of the Political Code.

Ordered printed, and held at desk by unanimous consent.

Assembly Joint Resolution No. 10: By Messrs. Dickey, Kellems, Dilworth, and Lowrey—Relative to memorializing the President and the Congress of the United States with reference to Japanese internees.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 11: By Messrs. Sawallisch and Hagerty—Relative to the President's birthday and the March of Dimes.

Request for Unanimous Consent

Mr. Sawallisch asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 11, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 11

Assembly Joint Resolution No. 11—Relative to the President's birthday and the March of Dimes.

Resolution read and adopted.

Resolution ordered transmitted to the Senate.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following resolutions were reported back from the Legislative Counsel Bureau, and read:

Assembly Joint Resolution No. 12: By Messrs. Johnson, Knight, T. Fenton; Weber, Thompson, and Guthrie—Relative to the prevention of undue hardship on California industries.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 13: By Messrs. Johnson, Knight, T. Fenton; Weber, Thompson, and Guthrie—Relative to termination of war contracts.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 1—Relative to the Joint Rules of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Holibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3301, and 3325 of and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520.

3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code, amending Section 7501 of and adding Section 7053 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Referred to Special Committee on Penal System Reform.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 1—Relative to memorializing Congress to simplify the income tax returns.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Werdel, Weybret, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 2—Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 7—Relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Mid-

dough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections, and redefining their powers, duties, terms, functions, and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811, and 4812.5 of, the Penal Code; amending Section 7501 of, and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7, and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read second time, and ordered engrossed.

RECESS

At 4.43 p.m., on motion of Mr. Desmond, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, JANUARY 29, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 7

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, JANUARY 29, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 2

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 7—Relative to commending the patriotic efforts of the United States Treasury Department, Defense Savings staff, and those of the volunteer workers in cooperation therewith in the Fourth War Loan Drive, and to urge generous public support thereof.

Referred to Committee on Rules and House Functions.

Senate Constitutional Amendment No. 2—Relative to revenue and taxation.

Referred to Committee on Rules and House Functions.

MOTION TO TEMPORARILY SUSPEND RULES, AND WITHDRAW
SENATE BILL NO. 1 FROM COMMITTEE

Mr. Field moved that the Rules be temporarily suspended for the purpose of withdrawing Senate Bill No. 1 from the Special Committee on Penal System Reform, and that Senate Bill No. 1 be withdrawn from the Special Committee on Penal System Reform for consideration, at this time.

Mr. Johnson seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—66.

NOES—Lowrey—1.

MOTION TO SUBSTITUTE BILL

Mr. Field moved that Senate Bill No. 1 be substituted for Assembly Bill No. 1.

Mr. Johnson seconded the motion.

Motion carried.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Johnson:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Desmond, Diekey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T., Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—67.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read second time.

Further consideration of Senate Bill No. 1 deferred, pending preparation of proposed amendments.

Hon. Albert M. Wollenberg Presiding

At 9.45 p.m., Hon. Albert M. Wollenberg, Member of the Assembly from the Twenty-first District, presiding.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolutions were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Joint Resolution No. 14.

Assembly Joint Resolution No. 15.

Assembly Concurrent Resolution No. 11.

Assembly Constitutional Amendment No. 2.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were reported back from the Legislative Counsel Bureau, and read:

Assembly Joint Resolution No. 14: By Mr. Allen—Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news.

Referred to Committee on Rules and House Functions.

Assembly Joint Resolution No. 15: By Messrs. Erwin, Kellems, Armstrong, Hastain, Thorp, Denny, Watson, Clarke, Guthrie, King, and Thompson—Relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring.

Referred to Committee on Rules and House Functions.

Assembly Concurrent Resolution No. 11: By Messrs. Burkhalter, Brown, Crowley, King, Dunn, and Kilpatrick—Relative to creating a Joint Committee to investigate all matters relating to voting members of the armed forces of the United States.

Referred to Committee on Rules and House Functions.

Assembly Constitutional Amendment No. 2: By Messrs. Johnson, Dickey, Sheridan, Kraft, Price, and Hollibaugh—Proposed amendment to Section 7 of Article X of the Constitution, relative to the power of the Legislature over the Criminal, Penal, and Correctional System of the State.

Ordered printed, and held at desk by unanimous consent.

Speaker Presiding

At 9.55 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

FURTHER CONSIDERATION OF SENATE BILL NO. 1

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the

Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article II M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read third time.

Motion to Amend

Mr. Fourt moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the title of the printed bill, as amended, after "constitution;" insert "modifying and".

Amendment No. 2

On page 3, line 33, of the printed bill, as amended, after "Governor", insert ", but before the director may be removed, charges against him, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the Governor. The Governor may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the director. If the Governor removes the director his action shall be final".

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 45 to 49, inclusive, and insert "are invested in the director."

Amendment No. 4

On page 4 of the printed bill, between lines 48 and 49, as amended, insert "One member shall be an attorney-at-law, one have had practical experience in handling adult prisoners, and one a sociologist in training and experience."

Amendment No. 5

On page 6, line 42, of the printed bill, as amended, after the second "of", insert "the director,".

Amendment No. 6

On page 6, line 44, of the printed bill, as amended, strike out the second "and three", and insert "two".

Amendment No. 7

On page 6, line 46, of the printed bill, as amended, strike out the period and "The director shall be ex officio"; and strike out all of line 47, and insert "and two members selected from among its members by the State Board of Prison Directors."

The director shall be a member and participate in the functions of the Board of Corrections at all times except that he shall not be a member when the board is considering charges against him or against any warden or superintendent."

Amendment No. 8

On page 6 of the printed bill, as amended, strike out lines 48 and 49, and insert "6026. The Board of Cor-".

Amendment No. 9

On page 6, line 50, of the printed bill, as amended, after "Authority", insert ", the Board of Trustees of the California Institution for Women".

Amendment No. 10

On page 7, line 2, of the printed bill, as amended, strike out "authority".

Amendment No. 11

On page 7, line 18, of the printed bill, as amended, insert

"Chapter 5.5. The State Board of Prison Directors

6035. The director shall advise with the State Board of Prison Directors in the establishment of general policies for the operation and maintenance of the State Prison at San Quentin, the State Prison at Folsom, the California Institution for Men, and any other prison for adult male prisoners, and for the establishment of general policies for the care, custody, treatment, training, discipline, and employment of those confined in such prisons. The State Board of Prison Directors is hereby authorized to render such advice to the director.

6036. The director shall supply the property, supplies, and personnel necessary to enable the State Board of Prison Directors to perform its duties under this chapter.

6037. The State Board of Prison Directors shall prepare written reports for the director, the Governor, and the Legislature."

Amendment No. 12

On page 7, line 22, of the printed bill, as amended, strike out the period and "Each", and insert "and the Superintendent of the California Institution for Women. The superintendent and each".

Amendment No. 13

On page 7, line 23, of the printed bill, as amended, after "director", strike out the period and "The", and insert ", but before a warden or superintendent may be removed by the director, charges against him, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the director. The director may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the warden or superintendent. If the director removes the warden or superintendent his action shall be final. The superintendent and".

Amendment No. 14

On page 7, line 25, of the printed bill, as amended, strike out "All", and insert "From the effective date of this section until January 1, 1945, all".

Amendment No. 15

On page 7 of the printed bill, as amended, strike out lines 40 to 52, inclusive; and on page 8, strike out lines 1 to 4, and insert "The director may fix the compensation of persons appointed or employed under this section.

6052. (a) On January 1, 1945 (hereinafter referred to as the effective date), the provisions of Article XXIV and the term "State civil service" shall include all officers and employees who on the effective date are within one of the following three classes:

Class 1. Officers and employees (i) holding positions on September 16, 1940, exempt from civil service under paragraph (11) of subdivision (a) of Section 4 of Article XXIV of the Constitution, (ii) either continuously in the service of the Board of Prison Directors, the wardens, the department or any of them or, if not in such service continuously, the lack of continuity was due to service for which a right to return to the position vacated is granted under the State Civil Service Act, and (iii) holding a position subject to Section 6051 on the effective date.

Class 2. Officers and employees (i) holding positions on September 16, 1940, exempt from civil service under paragraph (11) of subdivision (a) of Section 4 of Article XXIV of the Constitution, (ii) on the effective date absent due to service for which a right to return is granted by the State Civil Service Act, and (iii) otherwise continuously employed in the service of the Board of Prison Directors, the wardens, the department or any of them.

Class 3. Officers and employees (i) who did not hold positions on September 16, 1940, under the Board of Prison Directors, the wardens or either of them, (ii) were appointed or employed subsequent thereto and (iii) on the effective date were either holding a position subject to Section 6051 or absent due to service for which a right to return is granted under the State Civil Service Act.

(b) Class 1 and Class 2 personnel shall be included in the State civil service in permanent positions subject to a probationary period pursuant to subdivision (e) of Section 5 of Article XXIV of the Constitution, the probationary period to begin with respect to Class 2 personnel from the date they resume their position.

(c) Class 3 personnel shall be included in the State civil service in duration positions subject to a probationary period pursuant to subdivision (e) of Section 5 of Article XXIV of the Constitution, the probationary period to begin with respect to personnel returning from war service from the date they resume their position.

(d) An officer or employee, directly or indirectly, entitled to or having permanent status under this section, who is displaced by one having a right of return, shall be accorded the same rights to elect demotion in lieu of layoff granted by Section 172 of the State Civil Service Act as though he had had permanent status at all times in any previous position. An officer or employee who is entitled to or has duration status under this section, who is displaced by one having a right of return, shall be accorded the same rights to elect demotion in lieu of layoff granted by Section 172 of the State Civil Service Act to permanent employees as though he had had permanent status at all times in any previous position, except that he shall not displace any one with permanent status or any one with probation status and eligible for permanent status, and he shall not receive any greater rights than the State Civil Service Act accords to those with duration status.

(e) The State Civil Service Act shall govern with respect to conflicting claims to the same position after the effective date, the same as though the position were at all times subject to civil service.

(f) After the effective date the director shall be the appointing authority for all positions not otherwise provided for and, pursuant to the State Civil Service Act, may employ and fix the compensation for the personnel for such positions.

(g) Appointees of the Governor and persons holding positions designated to be confidential pursuant to paragraph (5) of subdivision (a) of Section 4 of Article XXIV (for the purposes of which paragraph the Adult Authority, the Youth Authority and the Director of Corrections shall be considered separate boards, commissions and officers) shall remain exempt from civil service.

(h) "Right of return" as used in this section refers to rights expressly provided by the State Civil Service Act to return to a position after military service in time of war or during a period of preparation for National defense or service as a seaman as described in Section 174 of the State Civil Service Act, and refers to rights which may hereafter be granted expressly by the State Civil Service Act to return to a position after service to the Nation."

Amendment No. 16

On page 10 of the printed bill, as amended, strike out line 41; and in line 42, strike out "who shall be a woman and", and insert
"3320. The superintendent shall be a woman."

Amendment No. 17

On page 11 of the printed bill, as amended, between lines 3 and 4, insert
"The director shall advise with the Board of Trustees of the California Institution for Women in the establishment of general policies for the operation and maintenance of the California Institution for Women and for the establishment of general policies for the care, custody, treatment, training, discipline and employment of those confined in the institution."

Amendment No. 18

On page 13 of the printed bill, as amended, strike out lines 27 and 28, and insert
"who shall be appointed by the Adult".

Amendments read.

Motion for Division of Question

Mr. George D. Collins moved a division of the question.

Mr. Kilpatrick seconded the motion.

Motion lost.

Point of Order

Mr. George D. Collins arose to the following point of order: That under Standing Rule No. 53, any member may call for a division of the question, and the Speaker shall order such question divided.

Ruling by Speaker

The Speaker ruled the point of order well taken.

Motion to Temporarily Suspend Rule No. 53

Mr. Wollenberg moved that Rule No. 53 be temporarily suspended for the purpose of considering the amendments to Senate Bill No. 1 without a division of the question.

The roll was called, and the Rules suspended by the following vote:

AYES—Allen, Armstrong, Beck, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Doyle, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Hastain, Hollibaugh, Johnson, Kellems, King, Knight,

John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, Price, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—47.

NOES—Anderson, Bennett, Berry, Brady, Collins, George D., Dills, Ralph C., Dunn, Gaffney, Haggerty, Hawkins, Heisinger, Kilpatrick, Massion, O'Day, and Werdel—15.

The question being on the adoption of the amendments offered by Mr. Fourt to Senate Bill No. 1.

Roll Call Demanded

Messrs. Johnson, Dills, Ralph C., and Gannon demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Price, Robertson, Sheridan, Stream, Thomas, Thompson, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—Berry, Collins, George D., Dills, Ralph C., Hawkins, Kilpatrick, and Pelletier—6.

Explanation of Vote on Amendments to Senate Bill No. 1

My reason for voting against these many amendments is that they materially change the content of the bill and we are without the knowledge as to their real import.

A division of the question has been denied by a two-thirds vote whereby these amendments might be acted upon separately.

VERNON KILPATRICK

Consideration of Further Amendments to Senate Bill No. 1 by Unanimous Consent

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 11, of the printed bill, strike out "may", and insert "must".

Amendment No. 2

On page 4, line 15, of the printed bill, strike out "may", and insert "must".

Amendments read and adopted.

Consideration of Further Amendments to Senate Bill No. 1 by Unanimous Consent

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, between lines 26 and 27, insert

"5004. In the administration of the State Criminal, Penal, and Correctional System, no person shall be discriminated against because of race, color, or creed."

Amendment read.

Demand for Previous Question

Messrs. Evans, Dills, Clayton A., Gannon, Knight, John B., and Berry demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hawkins to Senate Bill No. 1.

The roll was called, and the amendment adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Doyle, Dunn, Erwin, Evans, Gaffney, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, and Wollenberg—49.

NOES—Armstrong, Bashore, Call, Collins, Sam L., Denny, Desmond, Field, Fourt, Gannon, Guthrie, Hastain, Knight, John B., Leonard, O'Day, Werdel, Weybret, and Mr. Speaker—17.

Speaker Pro Tempore Presiding

At 11.29 p.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Consideration of Further Amendments to Senate Bill No. 1 by Unanimous Consent**Motion to Amend**

Mr. Johnson moved, seconded by Mr. Dickey, the adoption of the following amendments:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out the comma after "women", and insert a period; strike out "and"; and strike out all of line 14.

Amendment No. 2

On page 5 of the printed bill, strike out all of lines 51 and 52.

Amendments read.

Demand for Previous Question

Messrs. Evans, Rosenthal, Miller, Berry, and Allen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Messrs. Johnson and Dickey to Senate Bill No. 1.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fourn moved a call of the Assembly.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brady, Brown, Burns, Call, Carlson, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Johnson, Kellems, Knight, John B., Kraft, Leonard, Lyons, Maloney, McCollister, Middough, Miller, Niehouse, O'Day, Price, Stream, Thomas, Thompson, Waters, Watson, Werdel, Weybret, Wollenberg, and Mr. Speaker—48.

NOES—Anderson, Bennett, Clarke, Collins, George D., Dills, Ralph C., Dilworth, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Massion, McMillan, Pelletier, Robertson, Rosenthal, Sheridan, and Thorp—18.

Time, 11.40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT****RESOLUTIONS**

The following resolution was offered:

By Mr. Bashore:

House Resolution No. 37

Resolved by the Assembly of the State of California, That following adjournment of this session of the Legislature, Frank N. Killam, Chief of the Bureau of Buildings and Grounds is hereby directed to have installed in the Assembly Chamber three loud speakers to be placed in the lobby of the Assembly, one on each side of the lobby and one in the center of the lobby; and be it further

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly in the sum of \$375 in favor of Frank N. Killam, for expenditure in accordance with this resolution, and that proper vouchers be filed by Frank N. Killam with the Controller for all money expended under the provisions of this resolution, and the State Treasurer is hereby directed to pay the same.

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Joint Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

PRESENTATION OF BILLS FOR INTRODUCTION

The following bills were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Bill No. 8.

Assembly Joint Resolution No. 16.

Assembly Constitutional Amendment No. 3.

**INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)**

The following bills were reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Bill No. 8: By Messrs. Rosenthal and Kilpatrick—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to voting qualifications, proposed by the Legislature.

Referred to Committee on Elections and Reapportionment.

Assembly Joint Resolution No. 16: By Messrs. Dilworth, Kellems, and Mrs. Niehouse—Relative to the hospitalization of veterans.

Referred to Committee on Rules and House Functions.

Assembly Constitutional Amendment No. 3: By Messrs. Rosenthal, Kilpatrick, Anderson, McMillan, Debs, Bennett, Massion, Dills, Ralph C., Hawkins, Robertson, and Crowley—Proposed amendment to Article II, Section 1 of the Constitution, relative to voting qualifications. Permitting any person 18 years of age or older the right to vote, where said person is in the armed service.

Referred to Committee on Rules and House Functions.

REQUEST FOR UNANIMOUS CONSENT

Mr. Armstrong asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1

Senate Joint Resolution No. 1—Relative to memorializing the Bureau of Reclamation, Secretary of Interior, and Secretary of War to take immediate action to protect Needles, California, and vicinity, from further damage and dangers resulting from the filling in of the Colorado River bed and the rise of the river since the completion of Federal projects upon that river.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Berry, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dickey, Dilworth, Doyle, Dunn, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, King, Knight, John B., Kraft, Leonard, Maloney, Massion, McColister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONCURRENT RESOLUTIONS NOS. 4 AND 6 FROM COMMITTEE

Mr. Desmond gave notice that on the second legislative day, he would move to withdraw Assembly Concurrent Resolutions Nos. 4 and 6 from the Committee on Rules and House Functions, and have them placed upon the file.

MOTION TO TEMPORARILY SUSPEND RULES, AND WITHDRAW ASSEMBLY BILL NO. 6 FROM COMMITTEE

Mr. Bashore moved that the Rules be temporarily suspended for the purpose of withdrawing Assembly Bill No. 6 from committee for consideration, and that Assembly Bill No. 6 be withdrawn from the Committee on Revenue and Taxation for consideration, at this time.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Lyons, Maloney, Massion, McColister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 6

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bashore:

Resolved, That Assembly Bill No. 6 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Bill read second time.

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Doyle, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Sheridan, Thomas, Thompson, Thorp, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Bashore asked for unanimous consent to withdraw Senate Constitutional Amendment No. 2 from committee for consideration, at this time.

Mr. Desmond withheld unanimous consent.

CONSIDERATION OF HOUSE RESOLUTION NO. 31

House Resolution No. 31

Relating to commending the railroads and their personnel for the exceptionally competent performance of services throughout the Nation in this present war emergency.

WHEREAS, The extensive nature of the global war in which the United States of America is now engaged necessitates an ever increasing employment of rail transportation services throughout the Nation; and

WHEREAS, It has been shown that all railroad lines throughout the Nation have practically a 100 per cent record in the handling of troops and military freight in addition to civilian traffic; and

WHEREAS, This record of high efficiency established by the railroads and their personnel in the present war emergency has earned the sincere appreciation and commendation of the people of the Nation; now, therefore, be it

Resolved by the Assembly of the State of California, That the railroads and their personnel throughout the Nation be highly commended for the exceptionally competent performance of services in the present war emergency, and thus effectively contributing to the war efforts of the United States of America; and, be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and to each member of the House of Representatives from California in the Congress of the United States.

Resolution read and adopted unanimously.

Speaker Presiding

At 11.40 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

MOTION TO TEMPORARILY SUSPEND RULES, AND WITHDRAW SENATE CONSTITUTIONAL AMENDMENT NO. 2 FROM COMMITTEE

Mr. Heisinger moved that the Rules be temporarily suspended for the purpose of withdrawing Senate Constitutional Amendment No. 2 from committee for consideration, and that Senate Constitutional Amendment No. 2 be withdrawn from the Committee on Rules and House Functions for consideration, at this time.

The roll was called, and the motion carried by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Brady, Brown, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Leonard, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 2

Senate Constitutional Amendment No. 2—Relative to revenue and taxation.

Resolution read.

Motion to Amend

Mr. Bashore moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, after line 16, insert

"Every act heretofore done and proceeding heretofore taken by this State or any taxing agency in the State in respect to the taxation of property belonging to the United States, is hereby validated and made legally effective from the date thereof, to the extent it would have been valid and legally effective if done or taken after the adoption of this amendment."

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO SENATE BILL NO. 1

At 11.42 p.m., on motion of Mr. Fourt, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Messrs. Johnson and Dickey to Senate Bill No. 1 adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Collins, George D., Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Gaffney, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Kraft, Lyons, Massion, McMillan, Middough, Pelletier, Price, Robertson, Rosenthal, Sheridan, Thomas, Thorp, Waters, Watson, and Weber—40.

NOES—Allen, Armstrong, Bashore, Call, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Kellem, Knight, John B., Leonard, Maloney, McCollister, Miller, Niehouse, O'Day, Stream, Thompson, Werdel, Weybret, Wollenberg, and Mr. Speaker—31.

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Messrs. Dills, Ralph C., and Dills, Clayton A., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Fireman Second Class Earl Dills of Gardena and Dolores Silva of Oakland.

On request of Messrs. Maloney, McCollister, and Call, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dora McLean of San Francisco.

On request of Messrs. Watson, Haggerty, and Collins, Sam L., the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenant and Mrs. Thomas H. Kuchel.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to his daughter, Paula Crowley.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Clarence W. Morris, Judge of the Municipal Court of San Francisco.

On request of Mr. Brady and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dan Gallagher, Chairman, Board of Supervisors of San Francisco County.

On request of Mr. Crowley, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following teachers and students of the Mont La Salle High School and Novitiate: Brother Pius, Director, Brother Paul Stopper, Brother Richard Haskell, Brother Anthony O'Leary, Brother Henry, Brother Mark Mitchell, Brother Gabriel Murphy, Brother Stephen Bird, Matthias Heede, William McGloughlin, Terrance Spillane, Charles Snook, Leo Snook, James Robillard, Earl Vogel, Timothy Scully, Moritz Huppert, James Haughian, Robert Burns, John McNally, Jack Phaelin, Lawrence Reichsman, Donald Moffett, Joseph Whalley, and Mr. Moran.

On request of Messrs. Bashore, Lyon, Middough, Fourt, and Field, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Dr. C. C. Trillingham, County Superintendent of Schools, Los Angeles; Mr. Harold Brooks, Principal, George Washington School, Long Beach, and President, Secondary School Principals of California; Mr. W. K. Cobb, County Superintendent of Schools, Ventura County, and Frank M. Wright, Superintendent, El Monte School District.

On request of Mr. Dunn, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Carl Cotter, wife of Admiral Cotter, Mrs. Jule Ziegmeier, wife of former Admiral Ziegmeier, and Mrs. Belle Kelly, Social Director of Palace Hotel in San Francisco.

On request of Mr. Dilworth, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Lockwood, wife of Sergeant Clarence J. Lockwood of the Army Air Corps, and Mrs. Hubbard, wife of Ensign Frank C. Hubbard, at sea with Naval Aviation forces in the Pacific.

On request of Mr. Middough, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to George R. Rochester of North Long Beach.

On request of Mr. Lyon and the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sergeant Norman Chandler, who has just returned from two years' duty in the South Pacific.

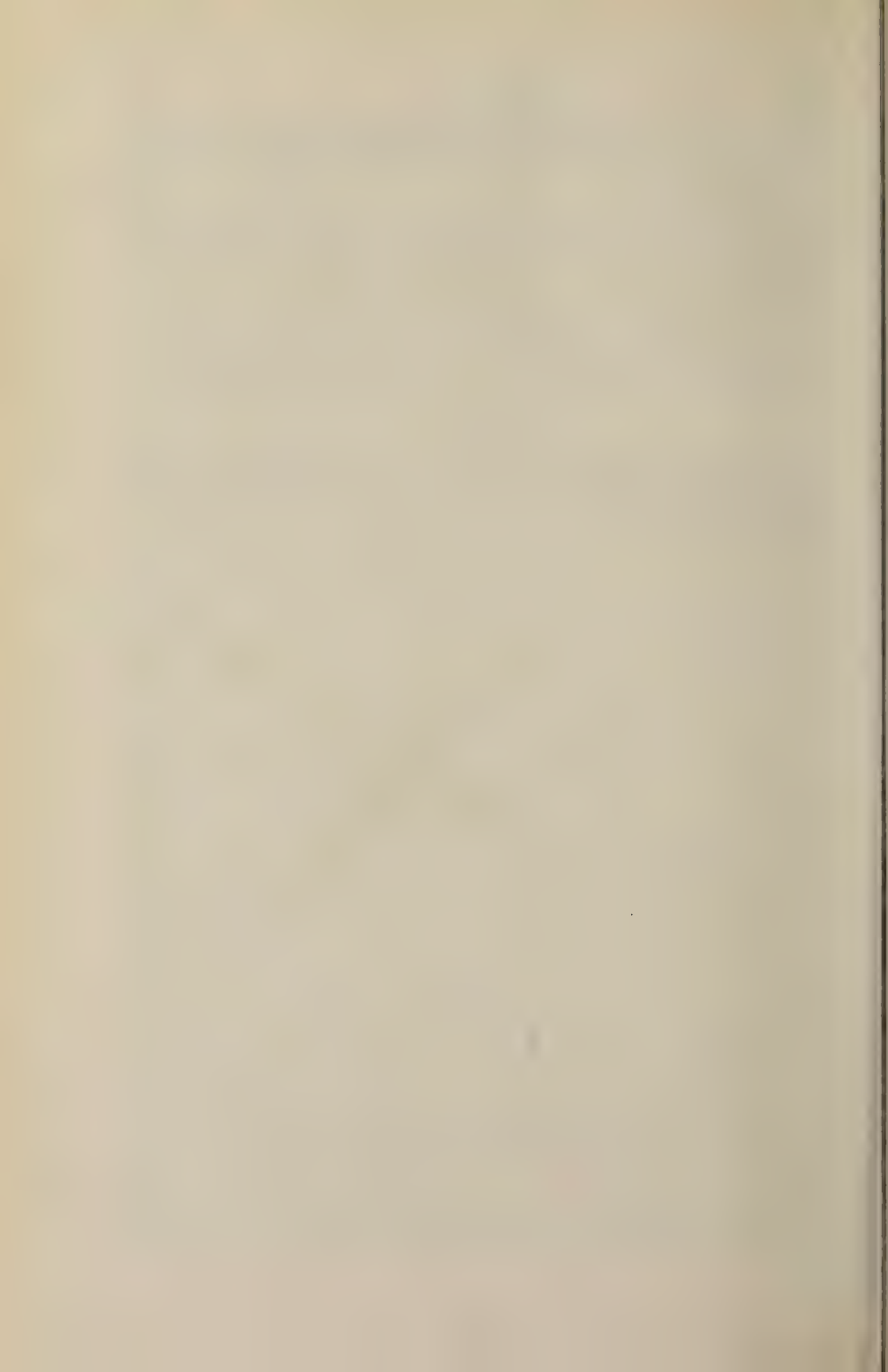
On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Behrens, wife of Earl C. Behrens, Political Editor of the San Francisco Chronicle, and Mary Louise Griswold, daughter of Governor Maury Griswold of Nevada.

On request of Mr. Beck, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to William G. Bonelli of Saugus, member of the Board of Equalization; Edward A. Ericson of San Fernando, Mrs. Janet Snider, and Jerry Snider of Sacramento.

ADJOURNMENT

At 11.45 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10.30 a.m., Sunday, January 30, 1944, out of respect to the memory of the late Mrs. Mary Lyons and Hon. George B. Bowers.

C. WILLIAM QUEALE, Minute Clerk



CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY
FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Sunday, January 30, 1944

The Assembly met at 10.30 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Bashore, Bennett, Brady, Burkhalter, Clarke, Collins, Sam L., Crichton, Debs, Denny, Dills, Clayton A., Doyle, Erwin, Evans, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Kilpatrick, King, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Sawallisch, Stream, Thompson, Thorp, Watson, Werdel, and Mr. Speaker—43.

Quorum present.

Call of the Assembly

Mr. Sam L. Collins moved a call of the Assembly.

Motion carried. Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH

At 10.40 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, and Wollenberg—75.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Hon. Lorne D. Middough, Member of the Assembly from the Seventieth District:

Must Jesus bear the cross alone
And all the world go free?
No, there's a cross for everyone
And there's a cross for me.

May we, Master, realize and never forget that the men and women on our battle fronts are bearing a heavy cross that others might live in peace and honor with one another.

Let us do our part by working hard and legislating well, keeping ever in mind that forces of evil and of destruction are desperately trying to blast away our way of living.

So let us carry our part of the load of freedom with confidence, with good cheer and with humility. **AMEN**

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mrs. Niehouse.

ANNOUNCEMENT BY THE SPEAKER

The speaker announced that Messrs. Carlson, Dunn, and Armstrong were attending a committee meeting at the time the morning roll was called.

COMMUNICATIONS

By the Speaker:

A communication from Pomona Valley League of Women Voters, relative to prison control legislation, was received and referred to Mr. Bashore.

Also:

The following communication was received, read, and ordered printed in the Journal:

FORT CUSTER, MICHIGAN
January, 19, 1944

Hon. Chas. W. Lyon
Speaker of Assembly
Sacramento, California

Dear Charlie: Having a gas mask, a steel helmet, and a side arm, I feel a little better prepared to cope with my brother Assemblymen, but it seems that the Army wants me to use them for other purposes at a destination not including Sacramento as a stop over.

When I again see you all I hope I can report on my new work of legislating, convicting, and jailing—all on the same day. I promise I will adopt the Lyon Rules of Order.

My best wishes to all.

FRANKLIN POTTER

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 6

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read :

Senate Concurrent Resolution No. 6—Relative to Harry Lane Englebright.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to Harry Lane Englebright.

Resolution read, and adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE**THIRD READING OF SENATE BILLS**

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1

of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dilworth, Doyle, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hollibaugh, Johnson, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Middough, Miller, Niehouse, O'Day, Price, Robertson, Sawallisch, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Bennett, Collins, George D., Dills, Clayton A., Dills, Ralph C., Dunn, Hawkins, Heisinger, Kilpatrick, Massion, McMillan, Pelletier, Rosenthal, and Thomas—14.

Bill ordered transmitted to the Senate.

Explanations of Vote

This Prison Bill comes not from the Legislative Committee formed to study the questions of prison administration or prison reform, but, rather from the wish of the Administration who, under its provisions, will have power to appoint several persons to serve at his pleasure and with salaries equalling his own.

S. L. HEISINGER

Three \$10,000 political appointments may easily be considered the motive inspiring this legislation. In my opinion, testimony before this body proves California to have a Prison System unequalled in any State and under better management than in its previous prison history.

Week-end excursions do not give Legislators inexperienced and untrained in penology a fair opportunity to bring about intelligent prison reorganization legislation.

VERNON KILPATRICK

I voted against Senate Bill No. 1 for the reason, among others, that it throws the whole Prison System of California into politics every four years, and will be productive of more evil than benefit.

GEORGE D. COLLINS, JR.

Senate Constitutional Amendment No. 2—Relative to revenue and taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO EXCUSE MEMBER

On motion of Mr. Kellems, Mr. Doyle was excused for the balance of the legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 25

Has had the same under consideration, and reports the same back and submits a substitute resolution and recommends the adoption of the substitute resolution.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No. 12

Assembly Joint Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 37

House Resolution No. 37

Resolved by the Assembly of the State of California, That following adjournment of this session of the Legislature, Frank N. Killam, Chief of the Bureau of Buildings and Grounds is hereby directed to have installed in the Assembly Chamber three loud speakers to be placed in the lobby of the Assembly, one on each side of the lobby and one in the center of the lobby; and be it further

Resolved, That the Controller be and is hereby authorized and directed to draw his warrant upon the Contingent Fund of the Assembly in the sum of \$375 in favor of Frank N. Killam, for expenditure in accordance with this resolution, and that proper vouchers be filed by Frank N. Killam with the Controller for all money expended

under the provisions of this resolution, and the State Treasurer is hereby directed to pay the same.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—61.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 1—Relative to the death of H. S. G. McCartney;

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Monterey, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the tenth day of May, 1943;

Assembly Concurrent Resolution No. 3—Approving amendments to the charter of the City of Santa Monica, State of California, ratified by the qualified electors of said city at a general municipal election held therein on the seventh day of December, 1943;

Assembly Concurrent Resolution No. 6—Relative to Miss Eleanor Miller;

Assembly Concurrent Resolution No. 8—Relative to Henry E. Carter;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of January, 1944, at 11.30 a.m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 11

Assembly Joint Resolution No. 1

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolution was presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Joint Resolution No. 17.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was reported back from the Legislative Counsel Bureau, and read:

Assembly Joint Resolution No. 17: By Messrs. Gaffney, Rosenthal, McMillan, Lowrey, Maloney, Call, Collins, George D., Anderson, Berry, Kellem, Haggerty, Heisinger, Dunn, Leonard, Brown, Sheridan, Carey,

Guthrie, Beck, Carlson, Lyons, Hawkins, Knight, John B., Thomas, Brady, Robertson, Doyle, Kilpatrick, Allen, Evans, Middough, Price, Massion, Armstrong, Hollibaugh, Erwin, Debs, Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Bennett, Fourt, Bashore, Wollenberg, Watson, Hastain, Waters, Sawallisch, Denny, Kraft, Stream, Johnson, Thorp, Clarke, Weber, Thompson, O'Day, Pelletier, and Mrs. Niehouse—Relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine.

Referred to Committee on Rules and House Functions.

REQUEST FOR UNANIMOUS CONSENT

Mr. Johnson asked for, and was granted, unanimous consent to take up Assembly Constitutional Amendment No. 2, at this time, without reference to committee or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2

Assembly Constitutional Amendment No. 2—Relative to proposed amendment to Section 7 of Article X of the Constitution, relative to the power of the Legislature over the Criminal, Penal, and Correctional System of the State.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—64.

NOES—Collins, George D., and Werdel—2.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT IN JOURNAL

Upon motion of Mr. Bashore, the following compilation was ordered printed in the Journal:

STATE BOARD OF
FEDERAL REAL ESTATE

County	Area Acres	Federal Property Ownership Prior to 1938						Total Federal Acres
		National Forests	Public Domain	National Parks & Monuments	Indian Lands & Reserva- tions	Military & Naval Reserve	Misc	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Alameda	469,120					1,200	200	1,400
Alpine	462,720	402,564	17,011					419,575
Amador	380,160	69,981	4,395		160			74,776
Butte	1,065,600	106,772	1,520		273		5	108,570
Calaveras	657,920	84,458	20,294		2			104,754
Colusa	737,920	63,670	25,105		120		5,688	94,583
Contra Costa	469,760						112	112
Del Norte	641,920	416,977			2,020		8	419,005
El Dorado	1,104,000	417,909	9,587		240			427,736
Fresno	3,830,400	1,330,807	77,555	460,680	600		68	1,869,710
Glenn	842,880	183,930	13,059		80		5,479	202,548
Humboldt	2,286,720	321,636	16,880		103,948		320	442,784
Imperial	2,741,760		589,616		33,613	640	8,982	632,861
Inyo	6,458,240	768,483	2,893,946	1,907,840	4,877			5,575,146
Kern	5,228,800	346,278	762,274	4,810		84,320	5	1,197,687
Kings	892,800		1,567		40		1	1,608
Lake	803,840	242,890	95,477		830			339,197
Lassen	2,910,720	588,345	807,587	18,280	670	242,324		1,657,206
Los Angeles	2,605,440	644,948	24,171	700		38,460	1,660	709,939
Madera	1,374,720	385,022		88,800	300			474,122
Marin	333,440			425		5,540	308	6,273
Mariposa	931,200	140,707	36,151	234,432				411,290
Mendocino	2,246,400	166,268	90,686		21,166		8	278,128
Merced	1,269,120		5,521					5,521
Modoc	2,620,160	1,257,725	293,941	2,595	3,877		10	1,558,148
Mono	1,948,800	1,144,612	123,063					1,267,675
Monterey	2,127,360	316,607	75,852	1,119		1,600	250	395,428
Napa	505,600		40,660				30	40,690
Nevada	626,560	137,663	14,803		75			152,541
Orange	500,180	47,951					120	48,071
Placer	915,840	218,562	1,800		60			220,422
Plumas	1,644,800	1,058,205		12,000	915			1,071,120
Riverside	4,584,560	240,084	1,068,397	613,480	139,090	600		2,061,651
Sacramento	630,400				38		600	638
San Benito	893,440		120,263	8,881				129,144
San Bernardino	12,883,840	426,635	8,248,294	409,520	85,184	40,240	110	9,200,983
San Diego	2,725,120	272,973	121,774	1	122,975	5,178	3,441	526,342
San Francisco	28,800					1,936	2,800	4,736
San Joaquin	902,400						21	21
San Luis Obispo	2,128,640	187,896	139,927				9	327,832
San Mateo	290,560						16	16
Santa Barbara	1,756,800	632,512	6,926		87,275	8,960	236	735,969
Santa Clara	835,200		18,296			1,000	80	19,376
Santa Cruz	280,960						20	20
Shasta	2,461,440	519,901	170,541	70,447	292			791,111
Sierra	613,120	332,546	6,101					338,647
Siskiyou	4,040,320	2,074,544	81,287	43,381	440			2,199,652
Solano	529,280		1,360			1,700	80	3,140
Sonoma	1,010,560		6,448		316		5	6,769
Stanislaus	963,840		11,900					11,900
Sutter	388,480				259			391,836
Tehama	1,903,560	347,904	39,673	4,000				1,416,571
Trinity	2,042,240	1,368,909	47,662					1,549,966
Tulare	3,100,800	979,786	133,313	387,827	49,040			1,017,987
Tuolumne	1,456,000	554,575	32,613	430,470	320			
Ventura	1,188,480	557,030	3,227	800	1,600	8,800		571,457
Yolo	661,760		29,506		75			29,581
Yuba	408,320	34,806						34,806
STATE	100,376,920	19,423,131	16,330,029	4,604,488	660,949	442,498	211,889	41,759,984

Source of Information

Column 1 U. S. Census, 1940.

Column 2 Report 1939 National Forester.

Column 3 Report 1939 General Land Office.

Column 4 1/1/39 W. R. Schofield, State Board of Equalization.

Column 5 Report 1937 Indian Lands in California—Garcia. Revised to 1/1/39 W. R. Schofield.

Column 6 House Doc. 111-76th Congress. Breakdown by Counties. W. R. Schofield, State Board of Equalization.

Column 7 House Doc. 111-76th Congress. Breakdown by Counties. W. R. Schofield, State Board of Equalization.

Column 8 Some miscellaneous acreage in total not possible to allocate.

Column 9 Total Columns 2-7.

Note: Column 7 of Miscellaneous includes Game Refuges 19,849 Acres; Farm Security Administration 2,075 Acres; Plant Ind. 716 Acres; Public Roads 15 Acres; Department of Commerce 6,409 Acres; Department of Justice 40 Acres; Department of Labor 11 Acres; Reclamation Bureau 180,606 Acres; Post Office 63 Acres; Treasury Department 437 Acres; Veterans' Administration 1,645 Acres; Geological Survey 20 Acres.

EQUALIZATION OWNERSHIP IN CALIFORNIA

Federal Property Acquisition Since 1938					Federal Property Ownership September 1, 1943			County
Percent Federal	Estimated Assessed Value	Acquired Acreage	Assessed Value	Annual Revenue Loss	Total Federal Acreage 7/1/43	Percent Federal	Total Assessed Value (Est.)	
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	
0.30%	\$2,200,000*	2,600	\$4,154,000	28,023	4,000	0.85%	6,354,000	Alameda
90.68	2,098,000	none			419,575	90.68	2,098,000	Alpine
19.67	850,000	none			74,776	19.67	850,000	Amador
10.19	725,000	585	5,175	147	109,155	10.24	730,175	Butte
15.92	300,000	none			104,754	15.92	300,000	Calaveras
12.82	258,000	none			94,583	12.82	258,000	Colusa
0.02	1,000	1,719	397,315	11,869	1,831	0.39	398,315	Contra Costa
65.27	1,345,000	14,108	807,824	19,700	433,113	67.47	2,152,824	Del Norte
38.74	4,500,000	29,825	227,960	6,151	457,561	41.45	4,727,960	El Dorado
48.77	7,000,000	2,108	226,800	3,563	1,871,818	48.82	7,226,800	Fresno
24.03	650,000	920	18,510	573	203,468	24.14	668,510	Glenn
19.36	2,850,000	694	10,110	293	443,478	19.39	2,860,110	Humboldt
23.08	2,300,000	26,052	64,880	2,731	658,903	24.03	2,361,880	Imperial
86.33	5,200,000	2,798	233,195	13,779	5,577,944	86.37	5,433,195	Inyo
22.91	19,000,000	38,310	3,311,110	87,220	1,235,997	23.64	22,311,110	Kern
0.18	50,000	1,138	10,910	211	2,746	0.31	60,910	Kings
42.20	950,000	159	5,110	181	339,356	42.22	955,110	Lake
56.93	4,825,000	25,000	56,250	1,290	1,682,206	57.79	4,881,250	Lassen
27.25	27,650,000*	1,200	68,777,910	1,738,895	711,139	27.29	96,427,910	Los Angeles
34.49	2,100,000	none			474,122	34.49	2,100,000	Madera
1.88	460,000	2,208	373,220	12,825	8,481	2.54	833,220	Marin
44.17	3,500,000	4,475	18,180	569	115,765	44.65	3,518,180	Mariposa
12.38	800,000	117	4,250	140	278,245	12.39	804,250	Mendocino
0.44	6,000	2,309	52,260	1,367	7,830	0.62	58,260	Merced
59.47	6,700,000	51,765	172,930	4,322	1,609,913	61.44	6,872,930	Modoc
65.05	3,600,000	none			1,267,675	65.05	3,600,000	Mono
18.59	2,000,000	184,303	1,540,610	33,344	579,731	27.25	3,540,610	Monterey
8.05	120,000	940	69,800	1,710	41,630	8.23	189,800	Napa
24.35	470,000	37,104	208,700	3,496	189,645	30.27	678,700	Nevada
9.60	250,000	8,852	1,287,225	28,033	56,923	11.37	1,537,225	Orange
24.07	1,000,000	219	9,870	100	220,641	24.09	1,009,870	Placer
65.12	5,000,000	48,198	87,930	2,746	1,119,318	68.05	5,087,930	Plumas
44.87	3,100,000	21,761	1,343,000	49,089	2,083,412	45.35	4,443,000	Riverside
0.10	1,200,000	5,727	120,660	3,209	6,365	1.01	1,320,660	Sacramento
14.45	134,000	210	6,730	122	129,354	14.48	140,730	San Benito
71.67	8,700,000	15,484	464,880	13,931	9,216,467	71.54	9,164,880	San Bernardino
19.31	22,220,000	174,610	5,353,165	200,000	700,952	25.72	27,573,165	San Diego
16.44	26,500,000	433	1,698,270	78,402	5,169	17.94	28,198,270	San Francisco
	130,000	1,994	137,505	3,565	2,015	0.22	267,505	San Joaquin
15.40	800,000	32,000	735,000	32,000	359,832	16.90	1,535,000	San Luis Obispo
	75,000	18	702,978	24,600	31		777,978	San Mateo
41.89	2,500,000	87,548	1,218,070	14,197	823,517	46.88	3,718,070	Santa Barbara
2.32	2,400,000	485	80,670	1,154	19,861	2.38	2,480,670	Santa Clara
0.01	80,000	404	19,160	444	424	0.15	99,160	Santa Cruz
32.14	4,000,000	44,708	191,465	5,604	835,819	33.96	4,191,465	Shasta
55.39	1,100,000	5,000	25,000	650	343,647	56.04	1,125,000	Sierra
54.44	15,900,000	149,530	305,160	6,103	2,349,182	58.14	16,205,160	Siskiyou
0.59	900,000	4,733	208,975	8,563	7,873	1.49	1,108,975	Solano
0.67	65,000	5,375	238,060	7,837	12,144	1.20	303,060	Sonoma
1.23	50,000	1,723	71,600	2,128	13,623	1.41	121,600	Stanislaus
		none						Sutter
20.59	1,700,000	903	3,210	78	392,739	20.63	1,703,210	Tehama
69.36	6,000,000	126,000	650,000	13,000	1,542,571	75.53	6,650,000	Trinity
49.99	7,000,000	12,813	127,245	3,610	1,562,779	50.40	7,127,245	Tulare
69.92	6,100,000	33,647	505,874	12,647	1,051,634	72.23	6,605,874	Tuolumne
48.08	1,400,000	1,600	377,470	11,911	573,057	48.22	1,777,470	Ventura
4.47	80,000	269	8,600	237	29,850	4.51	88,600	Yolo
8.52	165,000	51,017	691,205	16,931	85,823	21.02	856,205	Yuba

41.61% \$222,057,000 1,265,698 \$97,415,986 2,513,299 43,025,682 42.87% 319,472,986 STATE

Source of Information

Column 9 Computed.
Column 10 Estimated W. R. Schofield, State Board of Equalization. \$1,000,000 assessed value of acreage not allocated by counties.

Columns 11

12

13

Column 14 Report by County Assessors, July 1943 to State Board of Equalization.

Column 15 Total of Column 8 and Column 11.

Column 16 Computed.

Column 16 Total Column 10 and Column 13.

* Acreage figure not reported; estimate by W. R. Schofield, State Board of Equalization.

RECESS

At 12.55 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 3 p.m.

REASSEMBLED

At 3 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 10

Assembly Joint Resolution No. 12

Assembly Joint Resolution No. 13

Assembly Concurrent Resolution No. 10

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kilpatrick, Heisinger, Pelletier, Anderson, Massion, Bennett, Robertson, Gaffney, Brown, Debs, King, McMillan, Burkhalter, Haggerty, Crichton, Dills, Clayton A., Dills, Ralph C., and Hawkins:

House Resolution No. 38

Relating to county relief clients

WHEREAS, There are in the State of California about 25,000 county relief clients comprising persons who on account of sickness or other disability are unable to provide for themselves; and

WHEREAS, Governor Warren has been quoted in the press as declaring, in relation to aid to the aged, that a person can not live on \$40 per month; and

WHEREAS, The payments by the counties to these clients range from \$12 to \$33 per month, the average amount being about \$22; and

WHEREAS, The minimum subsistence budget for an individual as determined by a study made by the University of California more than one year ago was upwards of \$33 a month; and

WHEREAS, Most of the county relief clients have to live on a budget far below the minimum subsistence budget which was based upon prices which were lower than those of the present day; and

WHEREAS, Due to the abnormal conditions concomitant to a world war, the cost of living has increased, and is steadily increasing, in spite of Governmental effort to keep prices in line with income; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of California be, and he hereby is, requested to include in his call for any later special session of the Legislature the subject of providing sufficient assistance to the persons who are county relief clients to enable them to maintain themselves on at least the minimum subsistence level.

Resolution read, and referred to Committee on Rules and House Functions.

By Messrs. Kilpatrick, Thomas, Allen, Burkhalter, Johnson, Gannon, Debs, Waters, Dills, Clayton A., Heisinger, Middough, and Maloney:

House Resolution No. 39

Relative to the public archives

WHEREAS, The Keeper of the State Archives is charged by law with the custody and safekeeping of the archives of the State of California; and

WHEREAS, Such archives include irreplaceable documents such as the original Constitution of the State of California, the Spanish archives and Governmental records since 1849, and all deeds of State lands to the State of California; and

WHEREAS, The space provided for the keeping of the State archives is inadequate and it is necessary to store a portion of the archives in outside buildings which makes access inconvenient; and

WHEREAS, The facilities for storage in the State Capitol are inadequate and unsafe by reason of the fact that they are below ground and in the event of flood or failure or break in the water system at the State Capitol would be rendered undecipherable and valueless; and

WHEREAS, It is necessary for the protection of the public State archives that they be kept in steel, waterproof vaults; now, therefore, be it

Resolved, That the Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No. 81 of the Fifty-fifth Regular Session of the Legislature, is hereby directed to investigate the deplorable conditions under which the State archives are kept and to devise and suggest to this Legislature ways and means of remedying the situation and providing a proper and safe place for the keeping of the State archives; and be it further

Resolved, That said committee shall file its report with the Chief Clerk of the Assembly, and copies thereof with the Governor, the Secretary of State, and the Director of Finance as soon as possible so that the Governor may at his discretion include as one of the subjects specified for consideration at any subsequent special session of the Legislature adequate provision for the custody and preservation of the public archives of the State of California; and be it further

Resolved, That the Governor is respectfully requested that in the event that he convenes the Legislature in another special session that there be included in the Proclamation as one of the subjects for consideration the problem of making adequate provisions for the custody and preservation of the public archives of the State of California.

Resolution read, and referred to Committee on Rules and House Functions.

Speaker Presiding

At 3.21 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 25

Mr. Johnson moved that the following substitute House Resolution No. 25, as recommended by the Committee on Rules and House Functions, be considered:

Motion carried.

Substitute House Resolution No. 25

By Messrs. Waters, Werdel, King, Doyle, Johnson, Fourt, Dickey, Robertson, and Kellems:

House Resolution No. 25

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty (80) sets of each of the following to be delivered at the Assembly Chamber:

Deering's Codes @ \$78.75 a set (less the Penal Code, Civil Code, and Civil Procedure and Probate Code)

Larmac 1943 Index @ \$12.50 each
and be it further

Resolved, That the Chief Clerk is instructed to deliver one set of Deering's Codes, with the exception of the Penal Code, Civil Code, and Civil Procedure and Probate Code, and one Larmac Index to each Member of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly for seven thousand four hundred eighty-two dollars and fifty cents (\$7,482.50) in payment for the above supplies, plus any necessary sales tax, and the State Treasurer is directed to pay the same.

Resolution read.

The roll was called, and the substitute resolution adopted by the following vote:

AYES—Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dills, Clayton A., Dills, Ralph C., Erwin, Field, Fourt, Gaffney, Gannon, Haggerty, Hawkins, Heisinger,

Johnson, Kane, Knight, John B. Leonard, Mahoney, McMillan, Madenbach, Miller, O'Day, Pelletier, Rosenthal, Strawn, Thomas Thompson, Thorp, Waters, Weber, Wernick, and Mr. Speaker—40.
Nays—None.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Concurrent Resolution No. 10—Relative to pay scales of State employees.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AMES—Anderson, Frank, Bennett, Perry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George, D., Collins, Sam, L., Graham, C. Gray, Hays, Isaac, H. Hays, J. Hays, Clayton A. Jolls, Ray, C. J. Hunt, Evans, Fred, Furr, Gamm, Gustave, Hagberg, Hawkins, Hower, Johnson, Kipphut, King, Knabe, J. H. R. Knabe, T. F. Lenz, Lemay, Lewis, M. May, Mason, McAlister, McMillan, McMillan, Miller, Olney, Peabody, R. Schell, Sawin, S. Stearns, Stearns, Thomas, Tennyson, Waters, Water, Wapner, Weidinger, and Mr. Spencer.—54

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 12—Relating to the prevention of undue hardship on California industries.

Reception card

The roll was called, and the resolution adopted by the following vote:

[illegible]

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 13—Relating to termination of war contracts.

Resolution read

The roll was called, and the resolution adopted by the following vote:

[illegible]

Resolution ordered transmitted to the Senate.

EXPRESSION OF THANKS TO ASSEMBLY

Mr. O'Day expressed the thanks of Judge Paine to the Assembly for its earnest consideration and patience in hearing his testimony on the proposed prison legislation.

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 7, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 7

Assembly Bill No. 7—An act making an appropriation for expenses of Members of the Assembly pursuant to Section 352 of the Political Code.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sam L. Collins:

Resolved, That Assembly Bill No. 7 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 7—An act making an appropriation for expenses of Members of the Assembly pursuant to Section 352 of the Political Code.

Bill read second time.

Assembly Bill No. 7—An act making an appropriation for expenses of Members of the Assembly pursuant to Section 352 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 4

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 4—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Bill No. 4, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 4

Senate Bill No. 4—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Sam L. Collins:

Resolved, That Senate Bill No. 4 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Dunn, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McColister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 4—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Bill read second time.

Senate Bill No. 4—An act making an appropriation for expenses of Members of the Senate pursuant to Section 352 of the Political Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carlson, Clarke, Collins, George D. Collins, Sam L. Crichton, Crowley, Debs, Desmond, Dickey, Dills, Clayton A. Dills, Ralph C. Dilworth, Dunn, Evans, Field, Fout, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B. Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Massion, McColister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF HOUSE RESOLUTIONS
NOS. 20 AND 21

Mr. Sam L. Collins moved that House Resolution No. 20 be withdrawn from the Committee on Rules and House Functions, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

Mr. Sam L. Collins moved that House Resolution No. 21 be withdrawn from the Committee on Rules and House Functions, and re-referred to the Committee on Governmental Efficiency and Economy.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ROBERTSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER)

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 3720, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7842.5, 7964.5, 7971.5, and 7972.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the printed bill, strike out "951.5"; and strike out all of lines 2 and 3 of the title, and insert "2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 3720, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7842.5, 7964.5, 7971.5, and 7972.5 to, and to".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 20, inclusive, and insert

"Nothing contained in this act shall affect any municipal, district, or local election, except such of them as may be consolidated with the presidential primary, direct primary, or general election, it being the intent that this act shall apply only to the presidential primary, the direct primary, the general elections and elections consolidated with them.

SEC. 2. Section 26.5 is added to the Elections Code, to read:

26.5. The direct primary and the presidential primary shall be consolidated and held together on May 16th, anything in Sections 25, 26, 951, 953, 10050, or any other provision of this code to the contrary notwithstanding. Only one ballot shall be used at such election. Any reference in this code to the direct primary or to the presidential primary shall be construed to refer to the consolidated election herein provided for."

Amendment No. 3

On page 2 of said bill, strike out lines 28 to 50, and insert

"51. If by any act of Congress which is now or may become effective during the effective period of this section, provision is made for voting by war voters, such statute shall control and be superior to any conflicting provisions of this code, and all State, county, township, municipal and district officers, who are charged with the performance of duties with reference to the election laws of this State, shall perform the duties and discharge the obligations placed upon them by such act of Congress. It is the purpose and intent of this section that full effect shall be given to ballots cast by

war voters under Federal statutes in order that no person shall be deprived of his vote by virtue of having cast his ballot under any Federal statute rather than under the laws of this State."

Amendment No. 4

On page 3, line 5, of said bill, strike out "of the armed forces or", and insert " , warrant officer, or noncommissioned officer of a grade not lower than Sergeant, or equivalent rating, of the armed forces of the United States or any auxiliary branch thereof, or before".

Amendment No. 5

On page 3 of said bill, lines 9 and 10, strike out "will be necessarily and unavoidably", and insert "believes that he will be".

Amendment No. 6

On page 3 of said bill, strike out lines 26 to 35, and insert
 "132.6. Whenever any person not a registered elector shall apply in writing to the clerk for an absent voter's ballot for the presidential primary, the direct primary, or the general election, and the application shows that he is a war voter, that his place of residence is in the county, and that the applicant is absent from the county in which he claims residence, the clerk shall mail to the applicant with the absent voter's ballot one blank form of registration affidavit to be executed by the applicant. The affidavit shall be substantially in the form prescribed as follows:

WAR VOTER'S AFFIDAVIT OF REGISTRATION

Name-----
 (Last Name) (First Name) (Middle Name)
 Home Address-----
 (Give street number or as specific location as possible)

Political Party Affiliation-----

I, -----, do solemnly swear (or affirm), to the best of my knowledge and belief, that though not registered I am legally qualified to vote; that I am in the armed service of the United States or otherwise a war voter; that I am now at least 21 years of age, or will have reached that age by the date of the next general election; that I live at the above address in ----- County, California; and that on the basis of these statements I desire to be registered as a voter of the proper precinct in the county.

 (Signature of Applicant)

Subscribed and sworn to (or affirmed) before me this ----- day of -----, 19-----.

 (Signature of Officer, Rank, Branch of
 Service and Identification Number)."

Amendment No. 7

On page 3, line 39, of said bill, between "same" and "together", insert "in the return envelope but not in the identification envelope".

Amendment No. 8

On page 3, line 40, of said bill, between "ballot" and "to", insert "enclosed in the identification envelope,".

Amendment No. 9

On page 3, lines 48 and 49, of said bill, strike out "for said election as of the date of the affidavits", and insert "as of the date of the affidavit".

Amendment No. 10

On page 3, line 50, of said bill, after "time", insert "prior to the election".

Amendment No. 11

On page 4 of said bill, strike out lines 1 to 3, inclusive; and in line 4, strike out "tion, the", and insert "The".

Amendment No. 12

On page 4, line 14, of said bill, strike out "absent voter's ballot", and insert "identification envelope".

Amendment No. 13

On page 5 of said bill, strike out lines 27 to 52, inclusive; strike out all of page 6; and on page 7, strike out lines 1 to 46, inclusive, and insert

"SEC. 12. Section 2050.5 is added to said code, to read:

2050.5. The chairman of the State central committee of each political party shall give the notice referred to in Section 2050 on or before the ninth day of February preceding the presidential primary.

SEC. 13. Section 2053.5 is added to said code, to read:

2053.5. The Secretary of State shall, on or before February 19th preceding the presidential primary, certify to the county clerks the number of delegates referred to in Section 2053.

SEC. 14. Section 2101.5 is added to said code, to read:

2101.5. The nomination papers referred to in Section 2101 shall be prepared, circulated, signed, verified, and left with the county clerk at least 70 days prior to the presidential primary.

SEC. 15. Section 2156.5 is added to said code, to read:

2156.5. Verification deputies may obtain signatures as provided in Section 2156 not more than 90 nor less than 70 days prior to the presidential primary.

SEC. 16. Section 2300.5 is added to said code, to read:

2300.5. The affidavit required by Section 2300 shall be filed on or before the sixty-fifth day prior to the presidential primary.

SEC. 17. Section 2350.5 is added to said code, to read:

2350.5. The certificate referred to in Section 2350 shall be transmitted to each county clerk at least 55 days prior to the presidential primary.

SEC. 18. Section 2400.5 is added to said code, to read:

2400.5. The statement referred to in Section 2400 shall be compiled and filed not later than the thirty-first day after the presidential primary.

SEC. 19. Section 2571.5 is added to said code, to read:

2571.5. The statements of the number of registered voters required by subdivisions (a), (b) and (c) of Section 2571 shall be transmitted on March 2d preceding the consolidated presidential primary and direct primary, and the statement required by subdivision (d) of said section shall be transmitted on October 9th preceding the general election.

SEC. 20. Section 2573.5 is added to said code, to read:

2573.5. The notice required by Section 2573 shall be prepared and transmitted at least 90 days prior to the direct primary.

SEC. 21. Section 2576.5 is added to said code, to read:

2576.5. The notice referred to in Section 2576 shall refer to the consolidated primary election held in May.

SEC. 22. Section 2600.5 is added to said code, to read:

2600.5. The declaration of candidacy referred to in Section 2600 shall be filed not less than 65 and not more than 90 days prior to the direct primary.

SEC. 23. Section 2609.5 is added to said code, to read:

2609.5. The sponsor certificates referred to in Section 2609 shall be filed at least 70 days prior to the direct primary.

SEC. 24. Section 2621.5 is added to said code, to read:

2621.5. The declaration of candidacy and the declaration of acceptance referred to in Section 2621 shall be subscribed and sworn to, and at least 70 days prior to the direct primary shall be delivered to the county clerk in the county in which the candidate resides.

SEC. 25. Section 2699.5 is added to said code, to read:

2699.5. The certified list of candidates referred to in Section 2699 shall be transmitted to each county clerk at least 55 days before the direct primary.

SEC. 26. Section 2751.5 is added to said code, to read:

2751.5. The certificate showing nominated candidates referred to in Section 2751 shall be delivered to the county clerk not less than 70 days before the general election.

SEC. 27. Section 2792.5 is added to said code, to read:

2792.5. The State convention of each party shall meet on July 20 following the primary.

SEC. 28. Section 2807.5 is added to said code, to read:

2807.5. The convention referred to in Section 2807 shall be called to order at 10 o'clock a.m. on July 20th following the primary.

SEC. 29. Section 2839.5 is added to said code, to read:

2839.5. The computation referred to in Section 2839 shall be made between the first and second Mondays of February.

SEC. 30. Section 2842.5 is added to said code, to read:

2842.5. Each county central committee shall meet on July 11th following the primary, and not later than 10 days thereafter the county clerk shall transmit to the Secretary of State a certificate showing the chairman of the county central committee of the county.

SEC. 31. Section 2892.5 is added to said code, to read:

2892.5. A candidate may withdraw pursuant to Section 2892 at any time not later than 70 days prior to the election.

SEC. 32. Section 2893.5 is added to said code, to read:

2893.5. No vacancy at a general election shall be filled except by reason of the death of a candidate occurring at least 75 days before the general election, or for the reasons stated in subdivision b of Section 2893.

SEC. 33. Section 2896.5 is added to said code, to read:

2896.5. A vacancy caused by the death of a candidate or by the disqualification of a candidate must be filed at least 75 days prior to the election.

SEC. 34. Section 2897.5 is added to said code, to read:

2897.5. The name of a candidate who has declared or accepted a candidacy for a primary election shall be printed on the ballot unless he has died and that fact has been ascertained by the officer charged with the duty of printing the ballots at least 55 days prior to the election.

SEC. 35. Section 2898.5 is added to said code, to read:

2898.5. Whenever a candidate has been nominated at a primary election after having a declaration certificate filed, his name shall be printed on the ballot at the ensuing general election unless he has died and that fact has been ascertained by the officer charged with the duty of preparing the ballots at least 65 days prior to the election.

SEC. 36. Section 3043.5 is added to said code, to read:

3043.5. The nomination papers referred to in Section 3043 shall be filed not more than 100 nor less than 75 days before the day of election.

SEC. 37. Section 3084.5 is added to said code, to read:

3084.5. Verification deputies may obtain signatures to nomination papers not less than 100 nor more than 75 days prior to the election.

SEC. 38. Section 3150.5 is added to said code, to read:

3150.5. The filing of the affidavit referred to in Section 3150 shall be done at least 70 days prior to the election.

SEC. 39. Section 3711.5 is added to said code, to read:

3711.5. The mailing of sample ballots referred to in Section 3711 shall be made not more than 40 nor less than 10 days before the day of election.

SEC. 40. Section 4532.5 is added to said code, to read:

4532.5. All candidates for either nomination or election shall file their campaign statements within 25 days after the election.

SEC. 41. Section 5901.1 is added to said code, to read:

5901.1. Applications for absent voters' ballots referred to in Section 5901 may be filed not more than 40 nor less than 5 days before the consolidated presidential primary and direct primary, or not more than 60 nor less than 5 days prior to the general election."

Amendment No. 14

On page 7 of said bill, between lines 46 and 47, insert

"SEC. 21.5. Section 3720 is added to said code, to read:

3720. Notwithstanding any provision of this code relating to the form, size, weight, and content of the ballot for either the presidential primary, the direct primary, or the general election, the Secretary of State, at any time prior to the sixtieth day prior to the election, may prescribe, in his discretion, a form of ballot for use by absent voters at any of said elections and may reduce the size and weight of the ballot and, in such manner as to facilitate the transmission of the ballot by mail to war voters, rearrange the form of the ballot, and rearrange, without elimination or addition, the content thereof. He may also provide uniform envelopes for use in absent voting, and, upon the request of a clerk, may purchase such envelopes, the expenses thereof to be paid from the Revolving Fund created by Section 3704 of this code. Reimbursement shall be made as provided in said section."

Amendment No. 15

On page 7, line 47, of said bill, strike out "22", and insert "42".

Amendment No. 16

On page 8, line 10, of said bill, strike out "23", and insert "43".

Amendment No. 17

On page 8, line 19, of said bill, strike out "24", and insert "44".

Amendment No. 18

On page 8, line 25, of said bill, between "and" and "shall", insert ", unless the applicant is already a registered elector,".

Amendment No. 19

On page 8, line 27, of said bill, strike out "25", and insert "45".

Amendment No. 20

On page 8, line 30, of said bill, strike out "direct", and insert "consolidated direct and presidential".

Amendment No. 21

On page 8, line 32, of said bill, strike out "In the"; and strike out all of lines 33 to 44, inclusive.

Amendment No. 22

On page 9, line 1, of said bill, strike out "26", and insert "46".

Amendment No. 23

On page 9, line 9, of said bill, strike out "27", and insert "47".

Amendment No. 24

On page 9, line 1, of said bill, strike out "of the armed forces of the United States", and insert "Warrant Officer or noncommissioned officer of a grade not lower than Sergeant, or equivalent rating, of the armed forces of the United States or any auxiliary branch thereof".

Amendment No. 25

On page 9, line 16, of said bill, strike out "by reason of his service".

Amendment No. 26

On page 9, line 17, of said bill, strike out the comma.

Amendment No. 27

On page 9 of said bill, strike out lines 29 to 32, inclusive, and insert

"Sec. 48. Section 5932.5 is added to said code, to read:
5932.5. The ballots referred to in Section 5932 shall be received not later than 16 days after the day of election.

SEC. 49. Section 7801.5 is added to said code, to read:
7801.5. The canvassing of absent voters' ballots shall be commenced not later than the seventeenth day after the election.

SEC. 49.5. Section 7842.5 is added to said code, to read:
7842.5. A variation between the signature on the identification envelope and the signature on the registration affidavit caused by the substitution of initials instead of the first or middle names or both or of names instead of first or middle initials or both shall not invalidate the ballot if the surname and handwriting are the same.

SEC. 50. Section 7964.5 is added to said code, to read:
7964.5. The date for the completion of the canvass referred to in Section 7964 shall not be later than 6 o'clock in the afternoon of the twenty-ninth day following the primary election.

SEC. 51. Section 7971.5 is added to said code, to read:
7971.5. The compilation of the returns referred to in Section 7971 shall be made by the Secretary of State not later than the thirty-third day after any primary election.

SEC. 52. Section 7972.5 is added to said code, to read:
7972.5. The compilation of the returns for the presidential primary shall be made not less than the thirty-fifth day after the election.

SEC. 53. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby."

Amendment No. 28

On page 9, line 33, of said bill, strike out "29", and insert "54".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their

powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949;

And appointed Senators Deuel, Mayo, and Dillinger as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FURTHER CONSIDERATION OF ASSEMBLY AMENDMENTS TO SENATE BILL NO. 1

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare

America, their officers, leaders, instructors, and parents, and in praise of the excellent manner in which their activities have been undertaken and performed; and be it further

Resolved, That the Chief Clerk of this Assembly be directed to prepare and transmit suitable copies of this resolution to Elbert K. Fretwell, Chief Scout Executive, 2 Park Avenue, New York; and to Raymond O. Hanson, Regional Executive, 215 West Fifth Street, Room 813, Los Angeles, California; and to Floyd Forker, President of Los Angeles Metropolitan Area Council, 830 Bendix Building, Los Angeles; and Wm. H. Rosenthal, 409 So. Boyle Avenue, Los Angeles, California; C. B. Lambkin, 810 Laurel Avenue, Hayward, California; Harry Kahn, Urbano Drive; Matthew T. Gaffney, Mission Dolores Troop, San Francisco.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 41, at this time, without reference to committee. Resolution read and adopted.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 10

Assembly Joint Resolution No. 10—Relative to memorializing the President and Congress of the United States with reference to Japanese internees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 14

Assembly Joint Resolution No. 14—Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1 of the printed measure, strike out lines 5 to 10, inclusive.

Amendment read and adopted.

Resolution ordered reprinted, and on file for adoption.

PRESENTATION OF BILLS FOR INTRODUCTION

The following resolution was presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Concurrent Resolution No. 12.INTRODUCTION, FIRST READING, AND REFERENCE
OF ASSEMBLY BILLS (RESUMED)

The following resolution was reported back from the Legislative Counsel Bureau, and read:

Assembly Concurrent Resolution No. 12: By Messrs. Johnson, Knight, T. Fenton, Guthrie, Weber, and Thompson—Relative to encouraging industry to mobilize its resources and capacities to build the West and its Empire.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 5

Senate Joint Resolution No. 5—Relative to substitution of United States Army for War Relocation Authority in the administration of Tule Lake Japanese Center and other internment camps.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cain, Carson, Clarke, Collins, George D. Collins, Sam L. Collins, Crowley, Dees, Denton, Desmond, Dickey, Doss, Carson A. Doss, Ralph C. Dilworth, Dunn, Evans, Field, Gaffney, Gannon, Guthrie, H. H. Hays, H. H. Hays, Hunsberger, Hull, Knight, John A. Kellens, K. K. Knight, John B. Kraft, Leonard, Lowrey, Lyons, Manning, Mason, McCallister, McCallister, Miller, Nourse, O'Day, Pollett, Price, Robertson, Rosenthal, Sawalish, Sherman, Strawn, Thomas, Thompson, Thorp, Waters, Watson, Weber, Wernick, Wethering, and Mr. Speaker—46

NOES—None.

Resolution ordered transmitted to the Senate.

RECESS

At 5:20 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 7

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Assembly Bill No. 7 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 9

Assembly Joint Resolution No. 12

Assembly Joint Resolution No. 13

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 8

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 8—Relative to memorializing Congress to enact legislation to enable the transmission by air of election ballots and returns to and from locations where men of the armed forces may be stationed.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Joint Resolution No. 6

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Senate Joint Resolution No. 6—Relative to memorializing the President and Congress of the United States in relation to discharge of disabled veterans from the armed forces.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 2 of the printed measure, strike out lines 11 to 15, inclusive, and insert "To provide veterans at the time of their discharge with all necessary records and proof required for veteran administration action on compensable disability incurred in service."

Amendment read and adopted.

Bill ordered reprinted, and on file for adoption.

RESOLUTIONS

The following resolution was offered:

By Messrs. Heisinger, Dills, Ralph C., and Guthrie:

House Resolution No. 42

WHEREAS, At the Second Extra Session of the Fifty-Fifth Legislature there was enacted a statute known as the Food and Fiber Act; and

WHEREAS, The Nation's authorities called upon California farmers for the largest production of food and fiber for 1943; and

WHEREAS, Though handicapped by the induction of thousands of their sons into the armed forces and with a shortage of other labor and of machinery, yet the farmers of California produced and harvested the largest amount of food and fiber ever produced in this State; and

WHEREAS, This record production was assisted through the operation of the Food and Fiber Act which enabled California counties to stand at the top of production within the Nation, showing Los Angeles County to be first, Tulare County second, Fresno County fourth and other California counties following closely thereafter; now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby congratulate the farmers of the State for their outstanding record of accomplishments in 1943.

Request for Unanimous Consent

Mr. Heisinger asked for, and was granted, unanimous consent to take up House Resolution No. 42, at this time, without reference to committee.

Resolution read and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5

Assembly Joint Resolution No. 5—Relative to memorializing Congress to enact legislation to provide for the disposal by the United States

Government of certain military vehicles and other equipments suitable for civilian use to United States veterans of the present conflict at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules and House Functions:

Amendment No. 1

In line 5 of the title of the printed measure, after "conflict", insert ", to cities and counties and to the State Departments of Education".

Amendment No. 2

On page 1, line 19, of the printed measure, strike out "now, therefore, be it", and insert "and

WHEREAS, A certain portion of such released military equipment could also be highly serviceable to the cities and counties throughout the Nation; and

WHEREAS, It would be of great benefit for the vocational training of the youths of this Nation to have surplus lathes and other ordnance machineries made available to the various State Departments of Education for use in vocational training schools; now, therefore, be it".

Amendment No. 3

On page 2, line 1, of the printed measure, after "States", insert "and to cities and counties throughout the Nation".

Amendment No. 4

On page 2, line 2, of the printed measure, strike out "and also".

Amendment No. 5

On page 2, line 5, of the printed measure, strike out "and be it further", and insert "and also to make available to the various State Departments of Education all surplus lathes and other ordnance equipment for use in vocational training schools; and be it further".

Amendments read and adopted.

Bill ordered reprinted and engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Thompson, Miller, Burns, Armstrong, Erwin, Burkhalter, Crowley, Fourt, and Waters:

House Resolution No. 43

WHEREAS, It appears that the employees engaged in the service of the State in various hospitals and other institutions enjoy fewer holidays in the year than do State employees generally; and

WHEREAS, We realize that there are difficult problems involved in according to the faithful employees serving in our various institutions the identical holidays enjoyed by other State employees, problems due in part to the need of continuous care and supervision of the inmates and in part to the existing manpower situation and the shortage of available personnel, problems that call for thorough and searching study and analysis if a just and equitable solution is to be found; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board is hereby requested at once to enter upon such a study, conduct the study with all possible expedition, and upon ascertaining a remedy to put the remedy into force and effect to the extent that such may be within the board's power to do, and then to report thereon to the Governor not later than the next meeting of the Legislature, including in its report such recommendations as it may have concerning legislation needed for the complete accomplishment of the objects and purposes herein expressed; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed forthwith to transmit copies of this resolution to the Governor and to the members of the State Personnel Board.

Request for Unanimous Consent

Mr. Thompson asked for, and was granted, unanimous consent to take up House Resolution No. 43, at this time, without reference to committee.

Resolution read and adopted.

**MOTION TO WITHDRAW HOUSE RESOLUTION NO. 23
FROM COMMITTEE**

In compliance with a notice given on a previous day, Mr. Hawkins moved that House Resolution No. 23 be withdrawn from the Committee on Rules and House Functions, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Burkhalter, Debs, Dickey, Dills, Clayton A., Dills, Ralph C., Evans, Hawkins, Heisinger, Kilpatrick, Lowrey, Massion, McMillan, Middough, Niehouse, Pelletier, Rosenthal, Sheridan, Thomas, and Weber—23.

NOES—Armstrong, Bashore, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Denny, Dilworth, Erwin, Guthrie, Hastain, Hollibaugh, Kellems, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lyons, Maloney, McCollister, Miller, Price, Stream, Thompson, Thorp, Waters, Watson, Werdel, Wollenberg, and Mr. Speaker—34.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 16

Assembly Joint Resolution No. 16—Relative to hospitalization of veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Guthrie, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Price, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST TO PRINT ADDITIONAL COPIES OF REPORT

Mr. Bashore requested that 5,000 additional copies of the chart, showing Federal real estate ownership in California, be printed for distribution to the members.

Request referred to Committee on Rules and House Functions.

MOTION TO EXCUSE MEMBER

Upon motion of Mr. Maloney, Mr. Gaffney was excused for the balance of the legislative day.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Beck, Robertson, and Miller:

House Resolution No. 44

Resolved by the Assembly of the State of California, That the sum of \$500 or so much thereof as may be necessary, in addition to any other fund heretofore made available, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Committee on the Elections Code created by House Resolution No. 295 of the Fifty-fifth Regular Session, and its subcommittees and members.

and for any charges, expenses or claims that the committee may incur under House Resolution No. 295 in respect to the subjects mentioned in Item 1 of the Proclamation of the Governor convening the Legislature in this special session, such funds to be disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and referred to Committee on Rules and House Functions.

By Mr. Bashore:

House Resolution No. 45

WHEREAS, There is great public interest in the meetings of the different Interim Committees; and

WHEREAS, It is difficult for those interested to follow the meetings of these committees which meet in many different cities in the State; and

WHEREAS, It would be of great assistance to Members of the Legislature and persons interested in the proceedings of these committees to have information of these meetings made available in some central place; now, therefore, be it

Resolved, That the chairman of each Interim Committee be and he is hereby requested to notify the Chief Clerk of the Assembly as to the date and place of future meetings of his committee which will be open to the public, and he is further requested that such notice be given at a reasonable time prior to the contemplated meeting.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up House Resolution No. 45, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Leonard:

House Resolution No. 46

WHEREAS, Uncontrolled price advances with resulting inflation would impose tremendous financial hardships on our people; and

WHEREAS, The success of any price control program depends upon the voluntary cooperation of both buyers and sellers; and

WHEREAS, Justice and democracy both require that the supplies of scarce, essential commodities be made uniformly available to all persons according to need; and

WHEREAS, The success of any system of rationing also depends upon the voluntary compliance of producers, distributors and purchasers of such commodities; and

WHEREAS, "Black markets" make impossible the operation of any system of price control or rationing and instead increase the possibilities of inflation and economic chaos; and

WHEREAS, The struggle to maintain a system of price control and rationing deserves and requires the strong support of every citizen for the successful prosecution of the war; now, therefore, be it

Resolved by the Assembly of the State of California, That each individual citizen of our State be urged to support the program for fair living costs by joining with all other Americans in this home-front pledge:

"I will pay or charge no more than top legal prices; I will accept or sell no rationed goods without giving up or receiving ration stamps";

and be it further
Resolved, That all counties and cities and all civic organizations be requested to make the active observance of this pledge an important part of their contribution to the war effort.

Resolution read, and referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported bill ordered to third reading.

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Joint Resolution No. 6

Has the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 15

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF ASSEMBLY BILL NO. 3

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Carlson:

Resolved, That Assembly Bill No. 3 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fount, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton: Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5,

2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5 and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Fourn, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—66.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Guthrie, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Explanations of Vote

We, co-authors of Assembly Bill No. 3, would have voted "yes" had we been present.

EDWARD F. O'DAY
GEORGE D. COLLINS, JR.
GERALD P. HAGGERTY

(See Assembly Journal of January 31st, page 131, for explanation of vote by Mr. Gaffney.)

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Joint Resolution No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 2

Senate Joint Resolution No. 2—Relative to increase of price of crude petroleum.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed on Rules and House Functions:

Amendment No. 1

On page 1 of the printed measure, strike out all of lines 6 to 19, inclusive.

Amendment No. 2

On page 1 of said measure, strike out lines 23 to 29, inclusive.

Amendment No. 3

On page 2 of said measure, strike out lines 1 to 4, inclusive, and insert "WHEREAS, Current production costs of oil have increased; and".

Amendment No. 4

On page 2 of said measure, strike out lines 9 to 13, inclusive.

Amendment No. 5

On page 2 of said measure, strike out lines 19 to 32, inclusive.

Amendment No. 6

On page 2, line 35, of said measure, after "by", insert "substantially".

Amendment No. 7

On page 2 of said measure, strike out line 36, and in line 37, strike out "per barrel", and insert "oil, crude oil, and crude oil products produced in California";.

Amendment No. 8

On page 2, line 41, of said measure, after "oil", insert "and crude oil products".

Amendment No. 9

On page 2, line 41, of said measure, after "California", strike out the balance of line 41 and all of lines 42 to 44, inclusive, and insert "; and be it further".

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Private Daniel J. Frazier, Jr., of Hartford, Connecticut.

On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Corporal Lester R. Anspach, Marysville Air Base; Corporal Eddie Fitzsimmons, Camp Beale; Corporal James D. Arbogast, Marysville Air Base.

On request of Mr. Gannon, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain and Mrs. Ivan Lefevre.

On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Earl Warren, Miss Dorothy Warren, Mrs. Charles W. Lyon, Mrs. Sam L. Collins, and Mrs. Frederick F. Houser.

On request of the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mr. and Mrs. Charles Wollenberg and Mrs. Frank McDonald.

On request of Mr. T. Fenton Knight, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain and Mrs. E. Crawford May and Mr. and Mrs. Charles H. Carter of Sacramento.

On request of Mr. Beck, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Lieutenants Luther H. Young, Jr., Hattiesburg, Mississippi; Chas. A. Webster, Evergreen, Alabama; Wm. A. Jones, Crystal Springs, Mississippi; and Alfred Moore, Mobile, Alabama; and Miss Nadine M. Moody and Miss Adena C. Matthews of Sacramento.

On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Henry D. O'Bryan,

Co. M, 840th Sign. Tng. Bn., Camp Kohler, from Abbeville, Louisiana; Robert H. Burnham, Co. M, 840th Sig. Tng. Bn., Camp Kohler, from Salt Lake City, Utah; Sergeant Robert Kappelman, Camp Kohler, of Illinois; Corporal Philip Wolff, Camp Beale, from Towner Lake, New York; Francis L. Kervin, Navy, from New York State; Joseph Kwiatkowski, Navy, from Massachusetts; Donald H. Crays, Camp Kohler, from Michigan; James H. Behrens, Camp Kohler, from Texas; John J. Scordo, Camp Kohler, from Colorado; Captain Ivan W. LeFevre, Mather Field, from Philadelphia, Pennsylvania; Private George Robert, Mather Field, from California; Private Leonard J. Everett, Camp Kohler, from Louisiana; Private John Connolly, Camp Kohler, from Louisiana; Private Richard H. Switzer, Camp Kohler, from Louisiana; J. J. Romaine, Navy, Camp Parks, from Connecticut; Private Demos Demosthenes, Camp Beale, from New Hampshire; Private William S. Moffat, Camp Beale, from Massachusetts; Private First Class George I. Martin, McClellan Field, from Texas; Private First Class John R. Roan, McClellan Field, from Massachusetts; and Private First Class John Heneghan, McClellan Field, from New York.

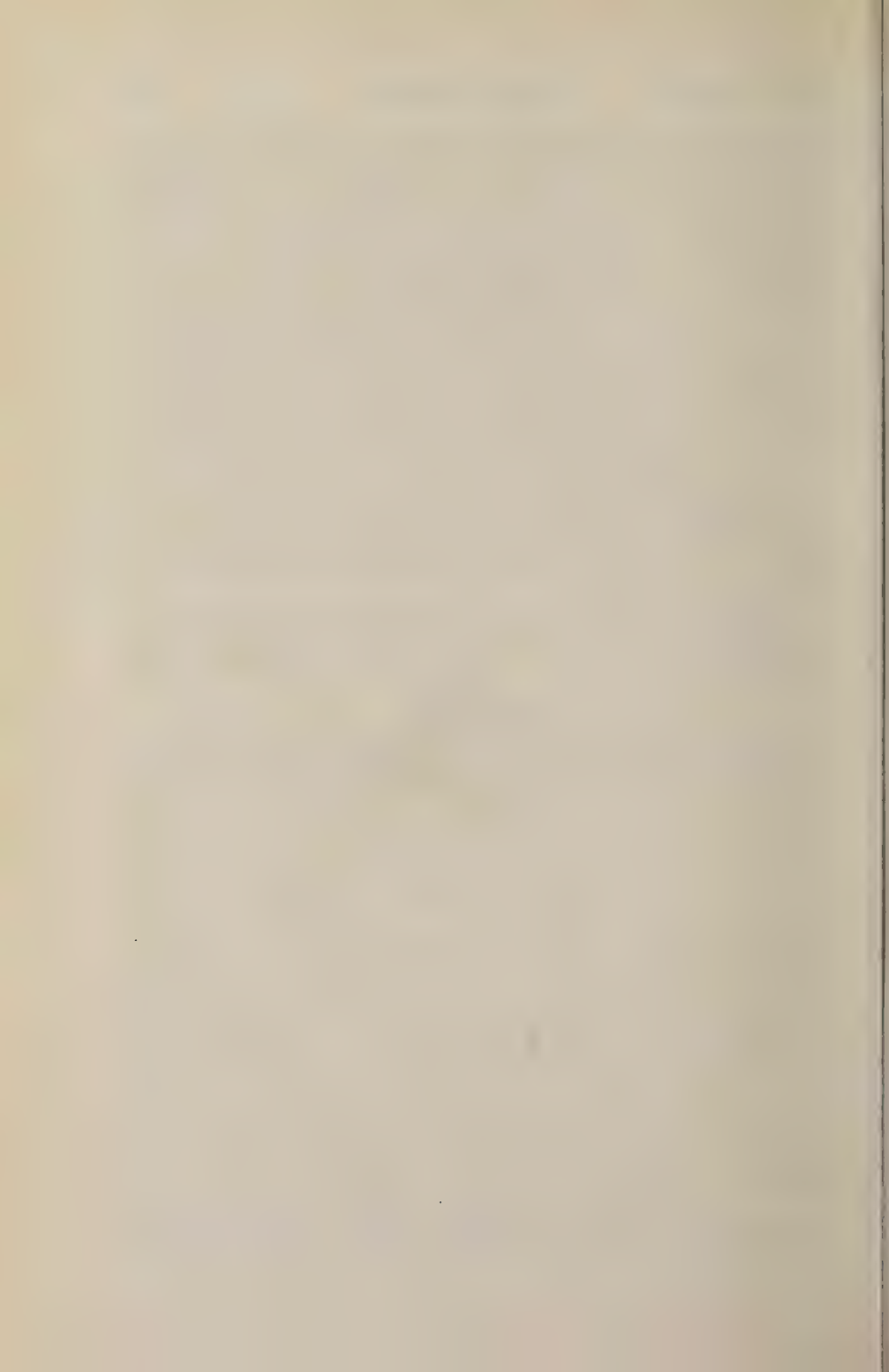
On request of Mr. Crichton, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Michael F. Mahoney of Camp Beale.

On request of Mr. Brown, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leo Hammett, Chairman of Board of Supervisors and W. Ray Hughes, Assessor, Stanislaus County.

ADJOURNMENT

At 11.20 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a.m., Monday, January 31, 1944, out of respect to the memory of the late Harry Lane Englebright.

C. WILLIAM QUEALE, Minute Clerk



CALIFORNIA LEGISLATURE
FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 31, 1944

The Assembly met at 10 a.m.

Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hestain, Hawkins, Heisinger, Hollibaugh, Johnson, Kelles, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Almighty God, in whom our fathers trusted, we seek Thy guidance for the responsibilities of this new day. Help us to be pure and good, loyal and loving, to do justly, to love mercy, and walk humbly with Thee.

Keep before us the great truth that: Blessed is the Nation whose God is the Lord; and the people whom He hath chosen for His own inheritance.

"Cure Thy children's warring madness,
Bend our pride to Thy control,
Shame our wanton, selfish gladness,
Rich in things, but poor in soul."

We ask it in Jesus' name.

AMEN

READING OF THE JOURNAL DISPENSED WITH

During the reading of the Journal of the previous legislative day, further reading was dispensed with, on motion of Mr. Burns.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day:

Mr. Doyle, on motion of Mr. Kelles.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 14

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 6

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 6—Relative to memorializing the President and Congress of the United States in relation to discharge of disabled veterans from the armed forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beck, Berry, Brown, Burkhalter, Burns, Call, Clarke, Collins, George D., Crichton, Crowley, Debs, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Thomas, Thompson, Thorp, and Mr. Speaker—44.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 2—Relative to increase of price of crude petroleum.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bennett, Berry, Brown, Burns, Call, Carey, Clarke, Collins, Sam L., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Evans, Guthrie, Haggerty, Hollibaugh, Johnson, Kellem, Kilpatrick, Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, Miller, Niehouse, O'Day, Price, Robertson, Sawallisch, Stream, Thomas, Thompson, Thorp, Watson, and Mr. Speaker—44.

NOES—Beck, Collins, George D., Knight, John B., and Middough—4.

Resolution ordered transmitted to the Senate.

Explanation of Vote

Senate Joint Resolution No. 2 called for an increase in price of crude oil by the Office of Price Administration. I am not opposed to such an increase providing it will help the small producers and protect the citizen consumers and, of course, advance the war effort. However, I doubted if such a price increase would accomplish the purpose. It, instead, would benefit the major companies at the sacrifice of small producers, so I voted against the resolution.

LORNE D. MIDDOUGH
70th Assembly District

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 14

Assembly Joint Resolution No. 14—Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, O'Day, Pelletier, Price, Sawallisch, Stream, Thomas, Thorp, Werdel, and Mr. Speaker—47.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 5

Assembly Joint Resolution No. 5—Relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipments suitable for civilian use to United States veterans of the present conflict, to cities and counties and to the State Departments of Education at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary.

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Stream, Thomas, Thompson, Thorp, Watson, Werdel, and Mr. Speaker—54.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.55 a.m., Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 15

Assembly Joint Resolution No. 15—Relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Beck, Bennett, Berry, Brady, Brown, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kilpatrick, Knight, John B., Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Sawallisch, Stream, Thomas, Thompson, Thorp, Watson, Werdel, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Ralph C. Dills Presiding

At 10.57 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 6

Assembly Joint Resolution No. 6—Relative to Standard Time.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Desmond moved a call of the Assembly.

Motion carried. Time, 11.03 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the absent members.

**PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT**

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 30, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 7

J. A. BEEK, Secretary of the Senate

By MARGARET HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 7—Relative to salaries of State prison guards.

Referred to Committee on Rules and House Functions.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

House Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

**FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED
WITH ON ASSEMBLY JOINT RESOLUTION NO. 6**

At 11.21 a.m., on motion of Mr. Desmond, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Joint Resolution No. 6 adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Erwin, Gaffney, Gannon, Guthrie, Heisinger, Hollibaugh, Kellems, Kraft, Leonard, Lowrey, Lyons, Middough, Miller, Niehouse, Price, Rosenthal, Sawallisch, Stream, Thompson, Thorp, Watson, Werdel, and Mr. Speaker—42.

NOES—Anderson, Bennett, Berry, Collins, George D. Dills, Ralph C. Dunn, Evans, Haggerty, Hawkins, Kilpatrick, Knight, T. Fenton; Maloney, Massion, McMillan, O'Day, Pelletier, Robertson, Thomas, and Waters—19.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Collins, Sam L., Lyon, Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, T. Fenton; Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Wollenberg, and Mrs. Niehouse:

House Resolution No. 47

Relative to memorializing Congress for legislation concerning the delivery, distribution, casting, collection and return of the absentee ballots

WHEREAS, The overwhelming majority of the men and women in the armed services are American citizens eligible to vote; and

WHEREAS, Our service men are now fighting in a global war to maintain our republican form of government; and

WHEREAS, Those now in the Military, Naval or Auxiliary services have the greatest stake in the future government of this Nation; and

WHEREAS, Our service men should be given every opportunity to cast their ballots for all elective officials, whether they be Federal, State, or local; and

WHEREAS, Some States have enacted legislation providing a procedure for Soldier voting, others have not and still others have bills pending; and

WHEREAS, There is no uniform procedure throughout the Nation for service men's voting; and

WHEREAS, The Federal Soldier Voting Law now in effect is not adequate; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States of America is memorialized to enact such legislation as is necessary to properly provide for the delivery, distribution, casting, collection and return of the ballots of service men and women and the men and women of the Maritime Service and all those in the auxiliary war services; and be it further

Resolved, That the President of the United States is urged to order the use of the air transport service for the transportation of such ballots, particularly where the ballots are destined for far distant places.

Resolved, That the Chief Clerk of the Assembly be hereby ordered to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and referred to Committee on Rules and House Functions.

MOTION TO PRINT IN JOURNAL

Mr. Carlson moved that the statement of the Subcommittee on Elections be printed in the Journal immediately following the roll call on the bill.

Substitute Motion

Mr. Dilworth moved, as a substitute motion, that the statement referred to in Mr. Carlson's motion, be printed in today's Journal for immediate availability to the members.

Motion carried.

Statement of Subcommittee on Elections

The Elections and Reapportionment Committee of the Assembly called before it all available experts and practical witnesses familiar with the provisions and application of the California Elections Code for the purpose of finding a practical and workable method to permit California men and women in the armed and auxiliary services to cast their votes in the coming elections. Every effort was made to perfect a plan to maintain as distinct and separate elections the May presidential primary, the August primary and the general elections. With this end in view, a workable plan was found for every county of the State, except the County of Los Angeles, where approximately 43 per cent of the California voters reside.

The registrar of Los Angeles County stated to the committee that it was a physical impossibility for his department to handle the work connected with the Soldier vote under any method under which the May primary, the August primary and the general election are held on available separate dates in the months of May, August, and November.

The only method by which the work connected with the Soldier vote could be handled by the Los Angeles County Registrar of Voters, according to his statement, was by a consolidation of the August primary with the May primary. If this consolidation is not accomplished, a large number of the Soldier votes received by the Los Angeles County registrar of voters would not be counted. It is the first consideration of this committee to permit every man and woman in the armed and auxiliary services to vote and to have their votes counted for the coming elections, even though the method to accomplish such purpose may appear to work some inconvenience to members of the civilian population.

From the testimony produced before the committee it was found that the chief obstacle to consolidation was that the time for registration has been so reduced as to make it difficult for the large new population of California to register. It is anticipated that the county clerks will cooperate fully in assisting in the registration of electors not now registered.

In addition to being the only method by which the voting rights of service men and women may be assured, the plan of consolidating the August primary with the May presidential primary will reduce the number of elections to be held in 1944 from three to two. The elimination of one election will result in savings of over \$2,000,000 to the taxpayers, of many tons of paper, and of many hours of labor for election clerks, and in the elimination of much travel. These savings of critical materials and manpower, and reduction in travel by rail and auto, are considerations very material in view of the necessities of war and the growing offensive in the Pacific Theatre. Consolidation of these elections will result not only in assuring adequate voting rights to all in the armed forces, but also in a very real aid to the war effort.

A. W. CARLSON
FRANCIS DUNN, JR.
DOUGLAS ARMSTRONG
Assembly Elections Subcommittee

CONSIDERATION OF HOUSE RESOLUTION NO. 39**House Resolution No. 39
Relative to the public archives**

WHEREAS, The Keeper of the State Archives is charged by law with the custody and safekeeping of the archives of the State of California; and

WHEREAS, Such archives include irreplaceable documents such as the original Constitution of the State of California, the Spanish archives and Governmental records since 1849, and all deeds of State lands to the State of California; and

WHEREAS, The space provided for the keeping of the State archives is inadequate and it is necessary to store a portion of the archives in outside buildings which makes access inconvenient; and

WHEREAS, The facilities for storage in the State Capitol are inadequate and unsafe by reason of the fact that they are below ground and in the event of flood or failure or break in the water system at the State Capitol would be rendered undecipherable and valueless; and

WHEREAS, It is necessary for the protection of the public State archives that they be kept in steel, waterproof vaults; now, therefore, be it

Resolved, That the Assembly Committee on Governmental Efficiency and Economy, created by House Resolution No. 81 of the Fifty-fifth Regular Session of the Legislature, is hereby directed to investigate the deplorable conditions under which the State archives are kept and to devise and suggest to this Legislature ways and means of remedying the situation and providing a proper and safe place for the keeping of the State archives; and be it further

Resolved, That said committee shall file its report with the Chief Clerk of the Assembly, and copies thereof with the Governor, the Secretary of State, and the Director of Finance as soon as possible so that the Governor may at his discretion include as one of the subjects specified for consideration at any subsequent special session of the Legislature adequate provision for the custody and preservation of the public archives of the State of California; and be it further

Resolved, That the Governor is respectfully requested that in the event that he convenes the Legislature in another special session that there be included in the Proclamation as one of the subjects for consideration the problem of making adequate provisions for the custody and preservation of the public archives of the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Stream, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—59.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 44

House Resolution No. 47

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 44

House Resolution No. 44

Resolved by the Assembly of the State of California, That the sum of five hundred dollars (\$500) or so much thereof as may be necessary, in addition to any other fund heretofore made available, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Committee on the Elections Code created by House Resolution No. 295 of the Fifty-fifth Regular Session, and its subcommittees and members, and for any charges, expenses or claims that the committee may incur under House Resolution No. 295 in respect to the subjects mentioned in Item 1 of the Proclamation of the Governor convening the Legislature in this special session, such funds to be disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Dunn, Field, Gaffney, Guthrie, Haggerty, Hawkins, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Rosenthal, Sawallisch, Stream, Thompson, Thorp, Waters, Watson, and Mr. Speaker.—54.

NOES—None.

COMMUNICATIONS

By Mr. Beck:

The following communication was received, and ordered printed in the Journal:

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO (2) CALIFORNIA, January 30, 1944

*Honorable Julian Beck, Assembly Chamber
State Capitol, Sacramento, California*

APPROPRIATION TO INTERIM COMMITTEE NO. 396

DEAR MR. BECK: We have prepared and have delivered to you a House resolution to appropriate money to the Assembly Committee on the Elections Code created by House Resolution No. 255 of the Fifty-fifth Session.

You have asked us whether this resolution is within a subject specified in the Proclamation convening this Legislature into a special session.

The resolution is so drafted that the money may be spent only in respect to committee work on subjects mentioned in Item 1 of the Proclamation of the Governor convening the Legislature in this special session. Therefore, the resolution is coextensive with but no broader than the subject and can not be other than within a subject upon which the Legislature may act.

It is therefore our opinion that there is no legal obstacle to the adoption of this resolution.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By SIDNEY L. WEINSTOCK, Deputy

CONSIDERATION OF HOUSE RESOLUTION NO. 47

House Resolution No. 47

Relative to memorializing Congress for legislation concerning the delivery, distribution, casting, collection and return of the absentee ballots

WHEREAS, The overwhelming majority of the men and women in the armed services are American citizens eligible to vote; and

WHEREAS, Our service men are now fighting in a global war to maintain our republican form of government; and

WHEREAS, Those now in the Military, Naval or Auxiliary services have the greatest stake in the future government of this Nation; and

WHEREAS, Our service men should be given every opportunity to cast their ballots for all elective officials, whether they be Federal, State, or local; and

WHEREAS, Some States have enacted legislation providing a procedure for Soldier voting, others have not and still others have bills pending; and

WHEREAS, There is no uniform procedure throughout the Nation for service men's voting; and

WHEREAS, The Federal Soldier Voting Law now in effect is not adequate; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States of America is memorialized to enact such legislation as is necessary to properly provide for the delivery, distribution, casting, collection and return of the ballots of service men and women and the men and women of the Maritime Service and all those in the auxiliary war services; and be it further

Resolved, That the President of the United States is urged to order the use of the air transport service for the transportation of such ballots, particularly where the ballots are destined for far distant places.

Resolved, That the Chief Clerk of the Assembly be hereby ordered to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Stream, Thompson, Thorp, Waters, Werdel, and Mr. Speaker—59.

NOES—None.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 4

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States in relation to the restoration of ordinary Standard Time in the winter months.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Bashore, Beck, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, Sam L., Crichton, Debs, Denny, Desmond, Diekey, Dills, Clayton A., Dilworth, Erwin, Field, Fourn, Gaffney, Gannon, Guthrie, Heisinger, Johnson, Kelless, Kraft, Lowrey, Lyons, Massion, Middough, Miller, Niehouse, Price, Rosenthal, Stream, Thompson, Thorp, Waters, Werdel, Wollenberg, and Mr. Speaker—43.

NOES—Bennett, Berry, Collins, George D., Dills, Ralph C., Haggerty, Maloney, and O'Day—7.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 11.39 a.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on January 29, 1944, be further amended as follows:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in Assembly, January 29, 1944, after "Women", insert ", and the Youth Authority".

Amendment No. 2

On page 3 of said bill, strike out lines 32 to 34, inclusive.

Amendment No. 3

On page 6 of said bill, between lines 15 and 16, insert "6000. There is in the Department of Corrections the Youth Authority."

Amendment No. 4

On page 8, line 10, of said bill, before "shall", insert "and with the advice and consent of the Senate,".

Amendment No. 5

On page 8 of said bill, strike out lines 25 to 33, inclusive, and insert "uary 1, 1945, all persons heretofore serving in positions exempt from civil service under paragraph (11) of subdivision (a) of Section 4 of Article XXIV of the Constitution, except the wardens, engaged in the performance of a function transferred to the department or engaged in the administration of a law, the administration of which is transferred to the department, are hereby transferred to the department on the effective date of this section, and shall continue to be exempt from civil service under said paragraph, as appointees or employees of a warden, and subject to removal by the Director."

Amendment No. 6

On page 9, line 17, of said bill, strike out "in time of war".

Amendment No. 7

On page 9 of said bill, between lines 33 and 34, insert "Class 4. Officers and employees (i) who did not hold positions on September 16, 1940, under the Board of Prison Directors, the wardens or either of them, (ii) were appointed or employed subsequent thereto after their qualifications had been ascertained and determined by written examination given by the State Personnel Board and (iii) on the effective date were either holding a position subject to Section 6051 or absent due to service for which a right to return is granted under the State Civil Service Act."

Amendment No. 8

On page 9, line 34, of said bill, strike out "and Class 2", and insert ", Class 2 and Class 4".

Amendment No. 9

On page 9, line 39, of said bill, after "position", insert "and with respect to Class 4 personnel returning from war service from the date they resume their position".

Amendment No. 10

On page 10, line 27, of said bill, strike out "as used in this section refers", and insert "and "right to return" as used in this section refer".

Amendment No. 11

On page 10 of said bill, strike out lines 35 to 40, inclusive, and insert "6053. All persons other than temporary appointees heretofore serving in the State civil service and engaged in the performance of a function transferred to the department or engaged in the administration of a law, the administration of which is transferred to the department, shall remain in the State civil service and are hereby transferred to the department on the effective date of this section, and their status, positions and rights shall not be affected by their transfer and shall continue to be retained by them pursuant to".

Amendment No. 12

On page 14, line 36, of said bill, after "bureau" insert "; provided, that no investigation of the acts or conduct of any State agency or State official shall be initiated or made through or by the bureau or any employee thereof, without the authorization of the Attorney General particularly specifying the office, department or person to be investigated and the scope and purposes of the investigation".

DEUEL
DILLINGER
MAYO

Senate Committee on Conference

FOURT
FIELD
JOHNSON

Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Allen, Armstrong, Bashore, Beck, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Desmond, Dickey, Dilworth, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hollibaugh, Johnson, Kellems, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Price, Robertson, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdell, Wollenberg, and Mr. Speaker—57.

NOES—Anderson, Bennett, Collins, George D., Crowley, Dills, Clayton A., Dills, Ralph C., Dunn, Hawkins, Heisinger, Kilpatrick, McMillan, Pelletier, and Rosenthal—13.

Explanation of Vote

I was in the Legislative Counsel Bureau having a measure prepared at the time the vote was taken on Senate Bill No. 1. If I had been present, I would have voted "Aye" on the bill.

HAROLD F. SAWALLISCH

EXPLANATION OF VOTE ON ASSEMBLY BILL NO. 3

Being a co-author of Assembly Bill No. 3, I would have voted "Yes" had I been present yesterday. My absence was excused on motion of Mr. Maloney, due to illness in my family.

EDWARD M. GAFFNEY

REPORTS OF STANDING COMMITTEES**Committee on Rules and House Functions**

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Assembly Concurrent Resolution No. 12

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 12

Assembly Concurrent Resolution No. 12—Relative to encouraging industry to mobilize its resources and capacities to build the West and its Empire.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Ralph C. Dills Presiding

At 12.03 p.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burkhalter, Watson, Erwin, Gaffney, Brown, and Heisinger:

House Resolution No. 48

Relative to prolonging the wild fowl shooting season

WHEREAS, For many years there was a very noticeable scarcity of migratory wild fowl; and

WHEREAS, Sportsmen all over the Nation led by Ducks Unlimited have used strenuous efforts to increase such game; and

WHEREAS, The Federal Government functioning through the Department of the Interior has through scientific methods materially increased the numbers of migratory fowl until during the last few hunting seasons sportsmen have enjoyed better shooting than for several years past; and

WHEREAS, The take of wild fowl has materially improved the food situation during the war period; and

WHEREAS, The sportsmen of California have noticed that the migration of wild geese does not start until the shooting season is nearly over; and

WHEREAS, It appears that wild geese are sufficiently plentiful after the season closes to justify a longer shooting season so that some of this game may be taken; now, therefore, be it

Resolved by the Assembly of the State of California, That the Federal Government acting through the Department of the Interior be memorialized to prolong the shooting season in California by an additional month; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to send copies of this resolution to the President and Vice President of the United States, the Secretary of Interior, the Speaker of the House of Representatives, and to the Senators and Representatives from California in the Congress of the United States.

Resolution read, and referred to Committee on Fish and Game.

Speaker Presiding

At 12.05 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

RECESS

At 12.08 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 7—An act making an appropriation for expenses of members of the Assembly pursuant to Section 352 of the Political Code;

Assembly Concurrent Resolution No. 9—Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of November, 1943;

Assembly Joint Resolution No. 1—Relative to memorializing Congress to simplify the income tax returns;

Assembly Joint Resolution No. 7—Relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions;

Assembly Joint Resolution No. 11—Relative to the President's Birthday and the March of Dimes;

Assembly Joint Resolution No. 12—Relating to the prevention of undue hardship on California industries;

Assembly Joint Resolution No. 13—Relating to termination of war contracts; And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1944, at 12 m.

PELLETIER, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 14

Assembly Joint Resolution No. 15

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 8

Senate Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California.

Referred to Committee on Rules and House Functions.

Senate Concurrent Resolution No. 8—Relative to the death of Honorable Carl C. Baker.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

Senate Concurrent Resolution No. 8—Relative to the death of Honorable Carl C. Baker.

Resolution read, and adopted by a rising vote of the Assembly.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 49

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of two hundred dollars (\$200) in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, rental of typewriters, traveling expenses, and other incidental expenses in connection with completing the work of the Third Extraordinary Session of the Fifty-fifth Legislature. Vouchers and receipts of all expenditures to be furnished to the Controller.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 49, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dilworth, Erwin, Evans, Field, Fourt, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, King, Knight, John B., Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Niehouse,

Pelletier, Price, Robertson, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Mr. Speaker—55.
 NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 50

Resolved, That each and every officer, attache and employee of this Assembly for the Fifty-fifth (Third Extraordinary) Session, is hereby stricken from the pay roll upon completion of work at the end of the day of Monday, January 31, 1944, except that the State Controller is hereby authorized and directed to pay compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 50, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Denny, Desmond, Dills, Clayton A., Dilworth, Erwin, Evans, Field, Fount, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, King, Knight, John B., Knight, T. Fenton; Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Niehouse, Pelletier, Price, Robertson, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Werdel, and Mr. Speaker—53.
 NOES—None.

By Messrs. Beck, Kellems, Denny, Brown, Erwin, Dilworth, Thorp, Lowrey, Watson, King, Thompson, Crichton, Guthrie, Clarke, Heisinger, and Desmond:

House Resolution No. 51

Relating to the ceiling price on hay

WHEREAS, The Office of Price Administration has placed a ceiling price on hay; and
 WHEREAS, The present ceiling prices do not permit the producer of hay to be reimbursed for the costs of storage of hay; and

WHEREAS, This condition necessitates immediate delivery of large quantities of hay after harvest and places a tremendous burden upon transportation facilities at one period; and

WHEREAS, This burden on transportation facilities would be alleviated if storage by growers were possible; and

WHEREAS, Many dairy farms and other purchasers have no storage facilities and are unable to build such because of material shortages; and

WHEREAS, Large quantities of hay are deteriorating because of exposure to the elements while the barns and other storage facilities of the growers are not being used; now, therefore, be it

Resolved by the Assembly of the State of California, That the Office of Price Administration be requested that in establishing ceiling prices on hay it provide for the reimbursement of hay producers for storage costs incurred by said hay producers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Office of Price Administration, to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Representatives in Congress from the State of California.

Resolution read, and ordered held at the desk.

By Messrs. Leonard, Maloney, and Lyon:

House Resolution No. 52

Relative to the death of Carl C. Baker

WHEREAS, The Members of the Assembly have been profoundly shocked to learn of the sudden and untimely death of Carl C. Baker, a former colleague; and

WHEREAS, They desire to honor his memory and his great services to the people of the State of California by the appointment of a committee from this House to attend the funeral services; and

WHEREAS, They wish to extend to Mrs. Pearl Baker, the widow of Carl C. Baker, their deepest sympathy; now, therefore, be it

Resolved by the Assembly of the State of California, That a Committee of Three, consisting of Charles W. Lyon, the Speaker of this Assembly; Jacob M. Leonard and Thomas A. Maloney, be and they are hereby appointed to attend the funeral services of the late Carl C. Baker to be held in Salinas on February 2, 1944; and be it further

Resolved, That the Chief Clerk of the Assembly shall cause to be prepared an appropriately embossed copy of this resolution for transmission to the widow of Carl C. Baker.

Request for Unanimous Consent

Mr. Leonard asked for, and was granted, unanimous consent to take up House Resolution No. 52, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

By Messrs. Kellems, Maloney, Lyons, and Lyon:

House Resolution No. 53

Relative to the death of Jack Doyle

WHEREAS, The Members of this Assembly have learned of the death in Santa Monica yesterday of Jack Doyle, the brother of our fellow Member, Assemblyman Thomas J. Doyle; and

WHEREAS, Jack Doyle in his 66 years of life had been one of the most colorful figures in the world of sports promotion; a man having the imagination to visualize the new and best in his field of endeavors, courage to venture and risk largely, showmanship to make those ventures a success, and having also the great personal individuality and character to inspire confidence in the men whom he sponsored in the arena, and to draw to himself innumerable and lasting friends from among the thousands of celebrities who crowded the arena which he built at Vernon and where he inaugurated the popular Tuesday night programs which made him Nationally famous and Vernon the boxing capital of the West; and

WHEREAS, Jack Doyle's love for boxing inspired him to raise the sport to the highest level, and led him to work unceasingly for the adoption of the constitutional amendment legalizing boxing in California; and

WHEREAS, Jack Doyle was equally devoted to promoting benefits for charity, it having been his particular insistence that profits from boxing matches be used for the support of veterans' hospitals, while his own generous contributions to charity were a tradition and one of his greatest satisfactions; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly hereby express their deep regret upon learning of the passing of one of California's best known personalities, and extend their deepest sympathy to their long time friend and fellow Member in the loss of his brother, Jack Doyle; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Jack Doyle; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted to Thomas J. Doyle.

Request for Unanimous Consent

Mr. Kellems asked for, and was granted, unanimous consent to take up House Resolution No. 53, at this time, without reference to committee.

Resolution read, and adopted by a rising vote of the Assembly.

STATEMENT FOR JOURNAL

In placing my name to House Resolution No. 40, I did so without reading it—and without full knowledge of its contents.

FREDERICK H. KRAFT

CONSIDERATION OF HOUSE RESOLUTION NO. 51

House Resolution No. 51

Relating to the ceiling price on hay

WHEREAS, The Office of Price Administration has placed a ceiling price on hay; and WHEREAS, The present ceiling prices do not permit the producer of hay to be reimbursed for the costs of storage of hay; and

WHEREAS, This condition necessitates immediate delivery of large quantities of hay after harvest and places a tremendous burden upon transportation facilities at one period; and

WHEREAS, This burden on transportation facilities would be alleviated if storage by growers were possible; and

WHEREAS, Many dairy farms and other purchasers have no storage facilities and are unable to build such because of material shortages; and

WHEREAS, Large quantities of hay are deteriorating because of exposure to the elements while the barns and other storage facilities of the growers are not being used; now, therefore, be it

Resolved by the Assembly of the State of California, That the Office of Price Administration be requested that in establishing ceiling prices on hay it provide for the reimbursement of hay producers for storage costs incurred by said hay producers; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Office of Price Administration, to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Representatives in Congress from the State of California.

Request for Unanimous Consent

Mr. Beck asked for, and was granted, unanimous consent to take up House Resolution No. 51, at this time, without reference to committee.

Resolution read and adopted unanimously.

Hon. Earl D. Desmond Presiding

At 2.45 p.m., Hon. Earl D. Desmond, Member of the Assembly from the Ninth District, presiding.

RESOLUTIONS

The following resolution was offered:

By Messrs. Dills, Ralph C., and Rosenthal:

House Resolution No. 54

Relative to congratulating Mrs. Esther Bennett upon her birthday

WHEREAS, Mrs. Esther Bennett, wife of our friend and colleague Elwyn S. Bennett, is celebrating the anniversary of her natal day on this the thirty-first day of January, 1944; and

WHEREAS, This lovely lady ever brings to this Assembly a countenance so cheerful, a manner so gracious, and a smile so charming as to brighten this Chamber and to lighten our labors here; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly hereby convey to Mrs. Esther Bennett heartiest congratulations and felicitations upon her birthday, and assure her that no matter how many times this anniversary may occur she can always welcome it with confidence for the joyous serenity of her spirit will keep her ever as youthful, charming and lovely as she is this day; and be it further

Resolved, That a suitably engrossed copy of this resolution be transmitted by the Chief Clerk of the Assembly to Mrs. Esther Bennett.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 54, at this time, without reference to committee.

Resolution read and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

House Resolution No. 48

Has had the same under consideration, and respectfully reports the same back and submits a substitute resolution, and recommends the adoption of the substitute resolution.

WATSON, Chairman

Above reported substitute resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Heisinger asked for, and was granted, unanimous consent to take up substitute House Resolution No. 48, as recommended by the Committee on Fish and Game, at this time.

CONSIDERATION OF SUBSTITUTE HOUSE RESOLUTION NO. 48

By Messrs. Burkhalter, Watson, Erwin, Gaffney, Brown, and Heisinger:

House Resolution No. 48

Relative to prolonging the wild fowl shooting season

WHEREAS, For many years there was a very noticeable scarcity of migratory wild fowl; and

WHEREAS, Sportsmen all over the Nation led by Ducks Unlimited have used strenuous efforts to increase such game; and

WHEREAS, The Federal Government functioning through the Department of the Interior has through scientific methods materially increased the numbers of migratory fowl until during the last few hunting seasons sportsmen have enjoyed better shooting than for several years past; and

WHEREAS, The take of wild fowl has materially improved the food situation during the war period; and

WHEREAS, The sportsmen of California have noticed that the migration of wild geese does not start until the shooting season is nearly over; and

WHEREAS, It appears that wild geese are sufficiently plentiful after the season closes to justify a longer shooting season so that some of this game may be taken; and

WHEREAS, Great damage is being done to crops throughout California and especially Imperial Valley and Southern California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Federal Government acting through the Department of the Interior be memorialized to expand the shooting season in California by an additional month, and that all territory south of the Tehachapi be included in the Southern zone; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to send copies of this resolution to the President and Vice President of the United States, the Secretary of Interior, the Speaker of the House of Representatives, and to the Senators and Representatives from California in the Congress of the United States.

Resolution read and adopted.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Maloney and O'Day:

House Resolution No. 55

Relative to International Longshoremen's and Warehousemen's Union
of the Pacific Coast

WHEREAS, The major part of supplies and equipment vital to our war effort must necessarily be transported by ships; and

WHEREAS, The International Longshoremen's and Warehousemen's Union of the Pacific Coast has so successfully loaded and unloaded the ships departing from major ports of embarkation of the West Coast that it has earned high praise from Admiral John W. Greenslade, General Galbraith, Admiral Emory Land of the Maritime Commission, the Military Affairs Committee of the United States Senate and other high Government officials; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby add its commendation and extend its congratulations to the International Longshoremen's and Warehousemen's Union of the Pacific Coast for its fine record in the loading and unloading of ships carrying war supplies to our service men and to our Allies; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to send a copy of this resolution to the Secretary of the International Longshoremen's and Warehousemen's Union of the Pacific Coast.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Lyon:

House Resolution No. 56

Relative to the death of Lieutenant Colonel John Victor Wallen

WHEREAS, John Victor Wallen, known to many members of the Legislature as "Vic" Wallen, was for many years a member of the State Highway Patrol; and

WHEREAS, He was a veteran flyer of the First World War, and reentered the armed services of the United States prior to its entry into this war, rising from Captain to Lieutenant Colonel; and

WHEREAS, He served his Country through the great campaigns in Africa and Italy as a Command Pilot; and

WHEREAS, On December 22, 1943, he lost his life in an airplane accident at Suffolk, Long Island, leaving a wife and child; now, therefore, be it

Resolved, That the Assembly of the State of California extends to his family its deepest sympathy; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably engrossed copy of this resolution to his family, and one to the Chief of the State Highway Patrol.

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 56, at this time, without reference to committee.

Resolution read and adopted.

MOTION TO APPOINT SPECIAL COMMITTEE

Mr. Maloney moved that a Committee of Three be appointed to attend the funeral services of Mr. Jack Doyle.

Messrs. Allen and Kellems seconded the motion.

Special Committee Appointed

The Chair announced the appointment of Messrs. Evans, Lyon, and Kellems as such Special Committee to attend the funeral of Mr. Jack Doyle.

MOTION TO PRINT ADDITIONAL ELECTION CALENDARS

Mr. Maloney moved that the Speaker instruct the Chief Clerk to order 1,500 additional copies of the Election Calendar for distribution by the Secretary of State.

Mr. Kilpatrick seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nicholas, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—67.

NOES—None.

Speaker Presiding

At 3.20 p.m., Hon. Charles W. Lyon, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Call, McCollister, and Dills, Ralph C.:

House Resolution No. 57

Relative to memorializing Congress to enact legislation declaring illegal all waivers of compensation or adjusted compensation by men of the armed forces upon their discharge as a condition for honorable discharge.

WHEREAS, There exists the vicious practice in the armed forces of requiring men about to be discharged to sign waivers of compensation or adjusted compensation as condition for honorable discharge; and

WHEREAS, To allow such a practice to continue would be very detrimental to the welfare of those who have risked their lives in the fields of battle for their Country; and

WHEREAS, It is the manifest duty and obligation of the people of this Nation to do everything possible to protect the legal rights of those who have served in the armed forces of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That Congress is hereby memorialized to enact legislation to nullify all past waivers of compensation or adjusted compensation by men of the armed forces upon their discharge as condition for honorable discharge, and also to declare illegal all such future waivers; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives of the State of California in the Congress of the United States.

Request for Unanimous Consent

Mr. Call asked for, and was granted, unanimous consent to take up House Resolution No. 57, at this time, without reference to committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—66.

NOES—None.

By Messrs. Johnson, King, Sheridan, Waters, and Dickey :

House Resolution No. 58

Relating to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study the procedure of the Industrial Accident Commission

WHEREAS, During December, 1943, the Industrial Accident Commission issued 1,155 original decisions, which is the first occasion in the history of the commission that original decisions passed the 1,000 mark; and

WHEREAS, This figure compares with the record of 939 original decisions by the commission for the entire fiscal year July 1, 1914, to June 30, 1915, after the enactment of the first Compulsory Compensation Act, which became effective January 1, 1914; and

WHEREAS, The industrial development of the State and the increased volume of the work performed by the commission have suggested a reappraisal of the manner in which the procedure and functioning of the Industrial Accident Commission is affording due process of law and a substantial hearing to all persons appearing before it; and

WHEREAS, House Resolution No. 81 adopted on January 30, 1943, created an Assembly Committee on Governmental Efficiency and Economy which was authorized to inquire into the functioning and administration of State Government; therefore, be it

Resolved, That this Assembly recommends that there be a reappraisal of the manner in which, under present conditions, the organization and administrative set-up of the Industrial Accident Commission makes it possible to afford due process of law to persons appearing before it; and be it further

Resolved, That the Chairman of the Assembly Interim Committee on Governmental Efficiency and Economy created by said House Resolution No. 81 be authorized and directed to appoint a Subcommittee of Three (3) from the full membership of said committee for the purpose of conducting said investigation.

Request for Unanimous Consent

Mr. Johnson asked for, and was granted, unanimous consent to take up House Resolution No. 58, at this time, without reference to committee.

Resolution read and adopted.

By Messrs. King, Gaffney, Lowrey, Brown, Middough, Sheridan, and Johnson :

House Resolution No. 59

Relative to increased correctional facilities for juvenile delinquents

WHEREAS, There has recently been a substantial and disturbing increase in the number of juvenile delinquents and youthful offenders in California, due in part to its large increase in population and in part to conditions resulting from the war; and

WHEREAS, It is believed by experienced persons that the situation will become even more critical after the termination of the war; and

WHEREAS, At the present time in most of the counties of California the local detention facilities are inadequate to handle the increasing number of delinquent boys and girls whom the courts find should have custodial supervision and confinement; and

WHEREAS, This intolerable situation is resulting in the courts being compelled against their judgment to release back into the communities large numbers of delinquent boys and girls who should, for the best interests of society, be kept in custody and under supervision; and

WHEREAS, We now have in California the Youth Authority, under whose jurisdiction is the responsibility for establishing additional State correctional facilities for the custody, training and rehabilitation of these delinquent youths; and

WHEREAS, The Youth Authority, in the short time of its existence, has made considerable progress in establishing more necessary correctional facilities, but more are urgently needed; now, therefore, be it

Resolved by the Assembly of the State of California, That the Youth Authority do everything in its power to establish as rapidly as possible these vital facilities that will make possible the detention and training and rehabilitation of these delinquent youths in California, so that these boys and girls may receive training and supervision under competent supervision, instead of being returned to the communities to continue their young careers of crime; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the Governor, the Director of Finance, and each member of the Youth Authority.

Request for Unanimous Consent

Mr. King asked for, and was granted, unanimous consent to take up House Resolution No. 59, at this time, without reference to committee. Resolution read and adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 7

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State, relating to revenue and taxation, proposed by the Legislature.

Request for Unanimous Consent

Mr. Bashore asked for, and was granted, unanimous consent to take up Senate Bill No. 7, at this time, without reference to committee or file.

CONSIDERATION OF SENATE BILL NO. 7

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State, relating to revenue and taxation, proposed by the Legislature.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Bashore:

Resolved, That Senate Bill No. 7 presents a case of urgency, as the term is used in Article IV, Section 15, of the Constitution, and the provision of the section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth,

Dunn, Erwin, Evans, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Miller, Nichouse, O'Day, Price, Robertson, Rosenthal, Swallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Weber, Werdel, Wollenberg, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to revenue and taxation, proposed by the Legislature.

Bill read second time.

Senate Bill No. 7—An act calling a special election for the same day on which the presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to revenue and taxation, proposed by the Legislature.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Cull, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Gaffney, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Price, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

SPEAKER EXPRESSES APPRECIATION

On behalf of the Assembly, the Speaker expressed his appreciation to the Committees on Crime and Correction, Governmental Efficiency and Economy, and Rules and House Functions for their efforts in preparing legislation for the Fifty-fifth (Third Extraordinary) Session.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

House Resolution No. 46

Assembly Joint Resolution No. 17

Senate Joint Resolution No. 3

Senate Concurrent Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

House Resolution No. 46 ordered on file for adoption.

Assembly Joint Resolution No. 17 ordered engrossed.

Senate Joint Resolution No. 3 and Senate Concurrent Resolution No. 7 ordered on file for adoption.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3

Senate Joint Resolution No. 3—Relative to memorializing Congress to enact legislation to make possible the 1944 Sugar Beet Program recently announced by the Federal War Food Administration.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 17

And reports the same correctly engrossed.

PELLETIER, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 17

Assembly Joint Resolution No. 17—Relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine.

Resolution read and adopted.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 46

House Resolution No. 46

WHEREAS, Uncontrolled price advances with resulting inflation would impose tremendous financial hardships on our people; and

WHEREAS, The success of any price control program depends upon the voluntary cooperation of both buyers and sellers; and

WHEREAS, Justice and democracy both require that the supplies of scarce, essential commodities be made uniformly available to all persons according to need; and

WHEREAS, The success of any system of rationing also depends upon the voluntary compliance of producers, distributors and purchasers of such commodities; and

WHEREAS, "Black markets" make impossible the operation of any system of price control or rationing and instead increase the possibilities of inflation and economic chaos; and

WHEREAS, The struggle to maintain a system of price control and rationing deserves and requires the strong support of every citizen for the successful prosecution of the war; now, therefore, be it

Resolved by the Assembly of the State of California, That each individual citizen of our State be urged to support the program for fair living costs by joining with all other Americans in this home-front pledge:

"I will pay or charge no more than top legal prices; I will accept or sell no rationed goods without giving up or receiving ration stamps";
and be it further

Resolved, That all counties and cities and all civic organizations be requested to make the active observance of this pledge an important part of their contribution to the war effort.

Resolution read and adopted.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to salaries of State prison guards.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dunn, Erwin, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Price, Rosenthal, Sawallisch, Sheridan, Stream, Thompson, Thorp, Thurman, Waters, Weber, Wollenberg, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

SPEAKER EXPRESSES APPRECIATION

On behalf of the Assembly, the Speaker expressed his appreciation to Fred J. Desch, Harold F. Lewright, and Jack Rossi, for their assistance on the desk and to their superiors in State departments who temporarily released them to assist in the work.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Joint Resolution No. 2

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 10

Assembly Concurrent Resolution No. 12

Assembly Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate

By A. P. BELLISLE, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1—An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; modifying and transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring

the powers and duties of the Department of Penology, the Board of Prison Terms and Pardons, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1939, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, 3305 and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811 and 4812.5 of, the Penal Code; amending Section 7501 of, and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article 11M of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7 and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1923, at page 949.

J. A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

MOTION TO PRINT REMARKS IN JOURNAL

Mr. O'Day moved that the following remarks by Mr. Johnson be printed in the Journal:

Mr. Ralph C. Dills seconded the motion.

Remarks by Mr. Johnson

MR. SPEAKER: I rise to a point of privilege of the House.

That seems to be the best way to get the attention of all of the members.

The point that I speak to concerns all of us. This Assembly should not be allowed to adjourn without some mention being made of the manner in which you have conducted the business of this House and presided over its deliberations.

Much of the credit is due, of course, to the earnestness of our members, and to the faithful, hard work of men such as Assemblymen Fourn and Wollenberg, who worked so diligently with the penal reform problem, and to Assemblymen Carlson, Robertson, and Dunn who labored long and hard over the complicated details of the War Ballot Bill, in order that our service men and women might have the right to vote.

But, Mr. Speaker, I rise to commend the manner in which you have with untiring patience, uniform courtesy, and businesslike dispatch presided over and directed the business of this House.

We think more today, than we did before, about how the rights of minority members are protected, about affording an opportunity for those who may disagree with us to be heard.

Your years of service to the State have been long, but it seems to me that your career has been brought to a fine culmination and a splendid accomplishment by your conduct of our proceedings.

The Members of this Assembly will have their own way of expressing to you, sir, their appreciation of your service, but before we adjourn I desire to make of record this expression of that feeling.

MOTION TO PRINT REMARKS IN JOURNAL

Mr. Thurman moved that the following remarks by Mr. Wollenberg be printed in the Journal:

Remarks by Mr. Wollenberg

I would be remiss in my duty if I did not at this time mention the love and affection and respect every man in this House has for our Speaker pro tempore, Thomas A. Maloney. Tom has, while presiding, shown to us his great kindness and big heart, and his close attention to everything pertaining to human relations. We also appreciate the fair and impartial manner in which he wielded the gavel during your absence, Mr. Speaker.

REPORTS OF STANDING COMMITTEES

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which was referred:

Senate Concurrent Resolution No. 9

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules and House Functions:

Amendment No. 1

On page 1, line 7, of the printed measure, at the end of the line, strike out "12.15 o'clock p.m.", and insert "4.30 o'clock p.m."

Amendment read and adopted.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 9, as amended, at this time, without reference to reprint or file.

Consideration of Senate Concurrent Resolution No. 9, as Amended

Senate Concurrent Resolution No. 9—Relative to adjournment sine die of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fount, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T., Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McMillan, Middough, Miller, Nichouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 60

Relative to making Assemblymen's wives guests of the Assembly

WHEREAS, There have been present during this extraordinary session of the Assembly many wives of Assemblymen who have accompanied their husbands to the Capitol and who have been patient and uncomplaining during the trying and difficult days of the session; and

WHEREAS, These Assembly wives by their presence and interest in the proceedings have stimulated and encouraged their respective husbands to render unselfish and devoted service to the State of California; and

WHEREAS, The Assembly is desirous of expressing its appreciation of their helpfulness; now, therefore, be it

Resolved by the Assembly of the State of California, That the House hereby extends its official greetings to all Assembly wives, and that they be and are hereby made guests for this date of the Assembly of the Fifty-fifth Legislature sitting in extraordinary session on the thirty-first day of January, 1944; and be it further

Resolved, That the Chief Clerk of the Assembly transmit to each and every Assembly wife who was present during this extraordinary session a suitably engrossed copy of this resolution.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 60, at this time, without reference to committee.

Resolution read and adopted.

By Messrs. Watson and Erwin:

House Resolution No. 61

WHEREAS, The great increase in the number of waterfowl in California has had a very harmful effect upon the production of rice and other grain crops; and

WHEREAS, The scarcity of firearm ammunition due to the war has deprived the farmers of their customary means of frightening waterfowl from their premises; and

WHEREAS, The open season for waterfowl does not permit the destruction of sufficient waterfowl to alleviate the situation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Wild Life Service is hereby requested to take such steps as may be in its power to provide facilities for the herding and disbursement of wild fowl congregating on grain fields; and be it further

Resolved, That the War Production Board is hereby requested to make available to farmers a sufficient supply of ammunition to meet their needs in protecting their crops against destruction by waterfowl; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the War Production Board and the Director of Agriculture of the United States, and to each Senator and Representative in Congress from California.

Request for Unanimous Consent

Mr. Watson asked for, and was granted, unanimous consent to take up House Resolution No. 61, at this time, without reference to committee.

Resolution read and adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 3

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By MARGARET HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 3?

Amendment No. 1

On page 3 of the printed bill, as amended, between lines 43 and 44, insert "SEC. 7. Section 132.5 of said code as added by Chapter 865, Statutes of 1943, is repealed."

Amendment No. 2

On page 4, line 12, of said bill, strike out "he", and insert "the affiant".

Amendment No. 3

On page 4, lines 15 and 16, of said bill, strike out "so applying who are or will be temporarily absent from their home precinct", and insert "applying for them".

Amendment No. 4

On page 5, line 18, of said bill, strike out the comma.

Amendment No. 5

On page 5, line 19, of said bill, after "envelope", insert a comma.

Amendment No. 5a

On page 7, line 31, of said bill, strike out "90", and insert "100".

Amendment No. 6

On page 9, line 3, of said bill, strike out "filed", and insert "filled".

Amendment No. 7

On page 9, line 15, of said bill, strike out "unles", and insert "unless".

Amendment No. 8

On page 9, line 24, of said bill, strike out "less than 100 nor more", and insert "more than 100 nor less".

Amendment No. 9

On page 9 of said bill, between lines 32 and 33, insert

"SEC. 39.5. Section 3720 is added to said code, to read:

3720. Notwithstanding any provision of this code relating to the form, size, weight, and content of the ballot for either the presidential primary, the direct primary, or the general election, the Secretary of State, at any time prior to the sixtieth day prior to the election, may prescribe, in his discretion, a form of ballot for use by absent voters at any of said elections and may reduce the size and weight of the ballot and, in such manner as to facilitate the transmission of the ballot by mail to war voters, rearrange the form of the ballot, and rearrange, without elimination or addition, the content thereof. He may also provide uniform envelopes for use in absent voting, and, upon the request of a clerk, may purchase such envelopes, the expenses thereof to be paid from the revolving fund created by Section 3704 of this code. Reimbursement shall be made as provided in said section.

Amendment No. 10

On page 11 of said bill, strike out lines 37 to 52, inclusive.

Amendment No. 11

On page 12, lines 45 and 46, of said bill, strike out "for the candidates of more than one political party, or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourn, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kellem, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 3 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 6

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (RESUMED)

Consideration of Senate Amendments

Assembly Bill No. 6—An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 6?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "The Revenue and"; and strike out line 2 of the title, and insert "; and to add Section 4653.5 to the Revenue and Taxation Code, relating to taxation of property belonging to the United States and receipt of payments in lieu of such taxation."

Amendment No. 2

On page 2 of said bill, after line 15, insert

"Sec. 3. Section 4653.5 is added to said code, to read:

"4653.5. The county auditor is authorized to accept payments in lieu of taxes, other than city taxes, on property which belongs to the United States and is exempt from taxation. Unless otherwise prescribed by the agency making such payment(s) the amounts received shall be distributed as are amounts received in payment of taxes."

Amendment No. 3

On page 2, line 16, of said bill, after "Sec.", strike out "3", and insert "4".

Amendment No. 4

On page 2, line 21, of said bill, after "Constitution," insert "Sections 1 and 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 6 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Clarke, Collins, Sam L. Crichton, Debs, Denny, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Ford, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Hersinger, Hoffbaugh, Johnson, Kellems, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Mahoney, Masson, McCallister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Wollenberg, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 6 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 2

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Above resolution ordered to unfinished business file.

UNFINISHED BUSINESS

Consideration of Senate Amendments

Assembly Joint Resolution No. 2—Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 2?

Amendment No. 1

In the title of the printed resolution, strike out lines 2, 3, and 4, and insert "Congress to enact legislation providing a Bill of Rights for veterans of World War II."

Amendment No. 2

On page 1, line 2, of said resolution, strike out "and Merchant Marine".

Amendment No. 3

On page 1, line 5, of said resolution, strike out "service-"; and strike out lines 6 to 16, inclusive, and insert "and service women; and".

Amendment No. 4

On page 1, line 18, of said resolution, strike out "and Merchant Marine".

Amendment No. 5

On page 1, line 21, of said resolution, strike out "and", and insert "now, therefore be it".

Amendment No. 6

On page 1 of said resolution, strike out lines 22 to 25, inclusive.

Amendment No. 7

On page 2 of said resolution, strike out lines 3 to 12, inclusive, and insert "ized to enact that program for benefit to veterans of World War II proposed by S. 1617, by Senator Clark and others, and H. R. 3947, by Representative Rankin and others, now pending in the Congress of the United States, which bills embody the program of the American Legion, known as the "Bill of Rights" for men and women now in the armed services; and be it further".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 2 by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Carlson, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hawkins, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, Niehouse, O'Day, Pelletier, Robertson, Rosenthal, Sheridan, Thomas, Thompson, Thorp, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—67.
NOES—None.

Assembly Joint Resolution No. 2 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 9

J. A. BEEK, Secretary of the Senate
By A. P. BELLISLE, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 9—Relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war.

Request for Unanimous Consent

Mr. Erwin asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 9, at this time, without reference to committee or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

Senate Joint Resolution No. 9—Relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Collins, George D., Collins, Sam L., Crichton, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Dunn, Erwin, Field, Fourt, Gaffney, Guthrie, Haggerty, Hastain, Heisinger, Hollibaugh, Johnson, Kilpatrick, King, Knight, John B., Knight, T. Fenton; Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, Middough, Miller, Niehouse, O'Day, Rosenthal, Sheridan, Thomas, Thompson, Thurman, Waters, Watson, Weber, Werdel, Wollenberg, and Mr. Speaker—59.
NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate

By PAUL MASON, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 17

J. A. BEEK, Secretary of the Senate

By HARRY A. HAMMOND, Assistant Secretary

Assembly Joint Resolution No. 17 ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO (14), January 31, 1944

To the Assembly of the State of California

In accordance with the requirement of Sec. 17 of Chap. 229, Stats. of 1943, I hereby report to the Legislature the provisions of certain proclamations issued by me since adjournment of your last session. These proclamations were issued pursuant to Sections 4 and 15 of Chap. 229 (generally known as the Blackout and Dimout Law) and represent changes made in and supplements to existing laws and regulations recommended by the State War Council after study, investigation or hearing made by it and the staff of the State Director of Civilian Defense, and with the full concurrence and approval in each instance of the Commanding General of the Western Defense Command.

My office and the State War Council have consistently received the earnest and complete cooperation and assistance at all times from the Commanding General and his staff, as well as from the Ninth Regional Civilian Defense Board and the Regional Director of the Office of Civilian Defense.

Attached hereto are copies of the proclamations mentioned, six in number. For the purpose of distinguishing them from other proclamations, they have been designated as "War Powers Proclamations."

War Powers Proclamations Nos. 1 and 2 were issued May 19, 1943. No. 1 established air raid precautions for railroads—a subject not theretofore covered by law.

No. 2 extended for 60 days the life of blackout driving permits issued prior to the taking effect of any State law on the subject, until such time as the machinery for issuing permits by the State Director of Civilian Protection (pursuant to Sec. 11 of Chap. 229, Stats. 1943) could get into operation.

War Powers Proclamation No. 3, issued July 16, 1943, extended the life of those permits to September 1, 1943, when it was found such additional time was needed.

War Powers Proclamation No. 4, issued October 8, 1943, was a revision of the dimout regulations made necessary by the changes made by Public Proclamation No. 12 of the Commanding General of the Western Defense Command. No. 4 conformed precisely to the said military proclamation and is virtually a word for word repetition thereof.

War Powers Proclamation No. 5, issued November 4, 1943, constituted a relaxation of the dimout regulations made in exact conformity to a similar military proclamation (Public Proclamation No. 19).

War Powers Proclamation No. 6, issued January 11, 1944, represents a variation in the railroad regulations established by Proclamation No. 1, and other minor lighting requirements, in the interests of safety and to relieve those concerned of certain restrictions found no longer necessary.

Proclamations No. 1 to No. 4, inclusive, having been issued prior to publication of the volume of 1943 Statutes, were printed therein as an appendix, and so are readily accessible.

Respectfully,

EARL WARREN, Governor

Proclamation No. 1

WHEREAS, Section 15 of Chapter 229, Statutes 1943, entitled an act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter."

And

WHEREAS, The State War Council has duly found, determined and recommended that additional air raid precaution regulations, concerning railroads, are required for the protection of life and property; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations and recommendations of the State War Council; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following air raid precaution regulations:

REGULATION CONCERNING RAILROADS

1. These regulations apply to all railroads operated by steam or diesel power and such operations of electric railways for which a written permit is issued by the State Director of Civilian Protection making such regulations applicable to such operations.

2. *Responsibility for Warnings.* It is the responsibility of each railroad company to make the necessary arrangements with civilian defense authorities to obtain necessary information of yellow, blue, red and white air raid signals, and to establish their own communications to notify the necessary railroad personnel when such communication is necessary to supplement the regular air raid warning system.

3. *Operation During Air Raid Alarms.* Subject to the provisions hereinafter expressed, railroad trains shall continue to operate as nearly in accordance with normal standards as possible during blackout periods and periods of air raid alarm. Because of the time required to put such measures in effect, all hoods as specified in paragraphs 8 and 9 shall remain affixed at all times, and window shades shall be drawn on all passenger cars from sunset to sunrise, whether or not a blackout period is in force. Immediately upon the receipt of a yellow air raid warning it is the responsibility of each railroad company to transmit said warning by the fastest available means of communication to personnel in charge of trains operating in or approaching the area of air raid alarm so that light control practices in respect to locomotives, cars, and trains shall be put into effect immediately upon commencement of the blackout period.

4. *Light Control.* During blackout periods in areas of air raid alarm, illumination in connection with railroad operations shall be permitted, extinguished or controlled as provided in paragraphs 5 to 15, inclusive, hereof.

5. *Signal Lights.* All signal lights essential to safe operation will be continued in service during blackout periods.

6. *Passenger Cars.* All passenger coaches, pullman, dining, lounge, club, observation and other passenger cars shall be shielded so that no light is visible from out-of-doors, except that vestibule ceiling lights in vestibules of passenger cars, equipped with type S-14, 15-watt, 34-volt, medium base, amber-orange lamp with one-half square inch of clear glass at bottom of the globe, may be left in operation at all times without any special shielding of the vestibule.

7. *Mail and Baggage Cars.* Mail, express and baggage cars shall be shielded so that no light is visible from out-of-doors during blackout periods in areas of air raid alarm. To blackout full railway post office cars and mail compartments of other cars, use may be made of S. P. Blackout Panels for Postal Windows approved November, 1942, by the General Superintendent of Railway Mail Service, Washington, D. C.

8. *Other Train Lights.* Marker lights on railroad trains shall remain in operation, but they shall be hooded to reduce the upward light to a minimum. Illuminated signs on trains must be extinguished during blackout periods in areas of air raid alarm.

9. *Locomotives.* Locomotive headlights must be hooded so as to reduce to a minimum the amount of upward light and the light normally cast along the side of the right of way, and such headlights shall be operated on dimmer control; backup headlights shall be hooded in accordance with the requirements for headlights, and may be operated as required if the beam candlepower is no greater than that of the headlight on the dimmer control; gauge and classification lights shall remain in operation but shall be hooded so as to reduce the upward and outward light to a

minimum; cab deck lights shall be extinguished; enginemens' cab reading lights shall be hooded to reduce the amount of upward and outward light to a minimum and shall be extinguished except when actually required to read orders or schedules; stack lights shall not be used except in tunnels or snow sheds; and enginemens shall avoid popping of locomotives and must control the flash from the fire boxes to reduce the amount of upward and outward light to a minimum.

10. *Electric Locomotives.* Power shall be shut off at gaps in third rail, crossovers and other points where arcing might occur; power shall be shut off on locomotives or other rolling stock equipped with overhead collectors at section breaks where trolley construction is such that continuous contact is not maintained between overhead collectors and trolley wire; and when lowering overhead collectors all power shall be shut off.

11. *Freight and Work Trains.* Lights in all cabooses, and living quarters of work trains, must be extinguished or shielded so that no light is visible from out-of-doors.

12. *Emergency Repairs.* Emergency repair and wrecking crews may continue such operations as are immediately necessary to restore transportation service, and may use the minimum amount of light required for such operations during blackout periods, provided that all lights shall be shielded so that no direct rays from any light source are emitted above the horizontal, *except* when an actual air raid is in progress in the vicinity in which event all lights shall be extinguished except such lights as are permitted in Section 12 of Chapter 229, Statutes 1943.

13. *Flagging and Signaling.* During blackout periods in areas of air raid alarm, flagging will be performed only with red lanterns and torpedoes so far as possible; fuses must not be used unless and to the extent absolutely essential for safety; normal switchmen's and trainmen's hand lanterns may be used for necessary signaling, but care must be taken to keep overhead signals to a minimum and such lanterns shall be extinguished or kept under cover so that they are not visible from out-of-doors when not actually in use for signaling. Acetylene hand lamps must not be used.

14. *Action During Raid.* When an actual raid is occurring in the immediate vicinity, train crews will endeavor to clear the main track at the first available siding, and shall stop the train and extinguish all headlights, backup lights and gauge, classification and reading lights until the raid is over; all switch engines in yards will move into the clear, stop and extinguish all lights; and all repair and wrecking crews shall extinguish all lights and take shelter; provided, however, that illumination which is permitted generally under Section 12, Chapter 229, Statutes 1943, shall also be permitted as required by railroad crews during air raids.

15. *Inspection and Servicing.* Filtered flashlights, as specified in Section 12, Chapter 229, Statutes 1943, and carmen's hand lanterns may be used as required for work which is necessary to maintain scheduled operations, such as car and engine inspection, oiling, coaling, watering and sanding. Care must be exercised to keep upward light to a minimum and all lights must be extinguished or covered when not actually required for operations. Fixed lights on sandhouses, oiling, coaling and watering stations and similar service facilities may be operated during blackouts only when and to the extent required for servicing operations which are immediately necessary for the safe maintenance of scheduled operations, provided that all such lights shall be shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A. D., 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

(Signed)

FRANK M. JORDAN, Secretary of State

[SEAL]

By CHAS. J. HAGERTY, Deputy Secretary of State

Proclamation No. 2

WHEREAS, Section 15 of Chapter 229, Statutes 1943, entitled an act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"Sec. 15. Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter."

And

WHEREAS, The State War Council has duly found, determined and recommended that an additional air raid precaution regulation is required for the protection of life and property to permit privately and publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits duly issued by responsible State and local officials authorized to issue such permits prior to the effective date of Chapter 229, Statutes 1943, to continue to operate said vehicles, during periods of air raid alarm, for a period of sixty (60) days from the date hereof; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations and recommendations of the State War Council; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following additional air raid precaution regulation, to wit:

Privately or publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits properly issued by the responsible State and local officials who are authorized to issue such permits prior to the effective date of Chapter 229, Statutes 1943, are hereby authorized to continue to operate said vehicles during periods of air raid alarm for a period of 60 days from the date hereof under and subject to said permits issued by such State and local officials.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this nineteenth day of May, A.D. 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

[SEAL]

(Signed)

By CHAS. J. HAGERTY, Deputy Secretary of State

Proclamation No. 3

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, The California War Council acting pursuant to the provisions of Section 15 of Chapter 229, Statutes of 1943, has duly found, determined and recommended that an additional air raid precaution regulation is required for the protection of life and property to permit privately and publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits duly issued by responsible State and local officials authorized to issue such permits prior to the effective date of Chapter 229, Statutes of 1943, to continue to operate said vehicles during periods of air raid alarm to and including the first day of September, 1943; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations, and recommendations of the California State War Council; now, therefore,

I, EARL WARREN, Governor of California, pursuant to the authority vested in me by Section 15 of Chapter 229, Statutes of 1943, do hereby proclaim the following additional air raid precaution regulation, to wit:

Privately or publicly owned vehicles (other than statutory authorized emergency vehicles) holding permits properly issued by the responsible State and local officials who were authorized to issue such permits prior to the effective date of Chapter 229, Statutes 1943, are hereby authorized to continue to operate said vehicles during periods of air raid alarm to and including the first day of September, 1943, under and subject to said permits issued by such State and local officials.

This proclamation is hereby designated Proclamation Number 3.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of July, A. D. 1943.

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

[SEAL]

By CHAS. J. HAGERTY, Deputy Secretary of State

War Powers Proclamation No. 4

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, Section 4 of Chapter 229, Statutes 1943, entitled An act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"SEC. 4. Whenever the California State War Council, after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different provisions restricting lighting are required in the areas described in Section 1 hereof, or that restrictions on such lighting are required in other areas in order to prevent aiding the operations of the enemy, the said State War Council shall address its findings to the Governor, and if the Governor concurs therein, he shall proclaim such additional or different restrictions and regulations governing illumination which shall thereupon become

effective and shall have the same effect as laws of this State and shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and any other provisions of law governing illumination. The violation of any such regulations shall constitute a misdemeanor and be punishable as a violation of this chapter. In making such investigations and determinations, the State War Council is hereby directed to consider the findings and recommendations of the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War, and in no event shall the Governor proclaim more restrictive regulations than those specified by said Commanding General, it being the intention that insofar as possible the regulations so adopted shall be uniform with the orders or recommendations of the said Commanding General."

And

WHEREAS, The State War Council has duly found, determined, and recommended that different Lighting Zones be established and modification be made in certain respects of lighting restrictions in said zones as of 10 October 1943; and

WHEREAS, The recommendations of the State War Council are uniform with the proposed order of the Commanding General of the Western Defense Command in compliance with Section 4 of Chapter 229, Statutes 1943; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following Lighting Restrictions modifying the provisions of Sections 1, 2 and 3 of Chapter 229, Statutes 1943, to wit:

SECTION 1. *Establishment of Lighting Zones.* The following Lighting Zones within the State of California are hereby designated and established:

(a) Lighting Zone A includes all the portions of the following counties as hereinafter described: Lighting Zone A includes only that portion of the following counties situated within 15 miles from the sea as defined in Section 7 (b) hereof, except where a different portion of a county is hereinafter specifically described. Where the described boundary line of Lighting Zone A passes through any city or town, all of such city or town is included within Lighting Zone A. For this purpose, the boundary of any such city or town shall be deemed to include all the area within the city limits of any such incorporated city, and the contiguous areas of any such incorporated or unincorporated city or town which are served by a continuation of the same street lighting system serving said city or town:

Alameda—All that portion situated more than five miles west of California State Highway No. 21, which runs through Martinez, Walnut Creek and Dublin.

Contra Costa—All that portion situated more than five miles west of California State Highway No. 21.

Del Norte

Humboldt

Los Angeles—All that portion situated south of the Santa Clara River or south of the Angeles National Forest and westerly of Meridian 118° which runs through the eastern boundary of the city of Monrovia.

Marin—Entire area of the county.

Mendocino

Monterey

Orange—Entire area of the county.

San Diego

San Francisco—Entire area of the county.

San Luis Obispo

San Mateo—Entire area of the county.

Santa Barbara

Santa Cruz—Entire area of the county.

Solano—All that portion within a radius of five miles from the City Hall of Vallejo, California.

Sonoma

Ventura

(b) Lighting Zone B, comprising all that portion of Lighting Zone A which is within 10 miles from the sea as defined in Section 7 (b) hereof.

(c) Lighting Zone C includes all the portions of the following counties as hereinafter described: The entire area of each county named below, except any portion of the county included in Lighting Zone A, is included in Lighting Zone C, except where a portion of a county is specifically described. Where the described boundary line of Lighting Zone C passes through any city or town, all of such city or town is included within Lighting Zone C. For this purpose, the boundary of any such city or town shall be deemed to include all the area within the city limits of any such incorporated city, and the contiguous areas of any such incorporated or unincorporated city or town which are served by a continuation of the same street lighting system serving said city or town:

Alameda

Amador—All that portion situated westerly of El Dorado National Forest.

Butte

Calaveras—All that portion situated westerly of Stanislaus National Forest.

Colusa

Contra Costa

Del Norte

El Dorado—All that portion situated westerly of El Dorado National Forest.

Fresno—All that portion situated westerly of Sierra National Forest.

Glenn

Humboldt

Kern—All that portion situated westerly of Meridian 118° 45', which runs approximately three miles west of Glennville, one mile west of Bena and seven miles east of Lebec.

Kings

Lake

Los Angeles—All that portion situated south of the Angeles National Forest, excepting the portion included in Lighting Zone A.

Madera—All that portion situated westerly of Sierra National Forest.

Mariposa—All that portion situated westerly of Stanislaus National Forest and Sierra National Forest.

Mendocino

Monterey

Merced

Napa

Nevada—All that portion situated westerly of Tahoe National Forest.

Placer—All that portion situated westerly of Tahoe National Forest.

Riverside—All that portion situated westerly of the San Bernardino Meridian, including all of the city of San Jacinto.

Sacramento

San Benito

San Bernardino—All that portion situated southwestly of the San Bernardino National Forest.

San Diego—All that portion situated westerly of Anza Desert State Park, excepting the portion included in Lighting Zone A.

San Joaquin

San Luis Obispo

Santa Barbara

Santa Clara

Shasta—All that portion situated westerly of the Mount Diablo Meridian.

Solano

Stanislaus

Sonoma

Sutter

Tehama—All that portion situated westerly of the Lassen National Forest and westerly of the most westerly boundary of Lassen National Forest projected north along the Mount Diablo Meridian to the southerly boundary of Shasta County.

Trinity

Tulare—All that portion situated westerly of Sierra National Forest, Sequoia National Park and Sequoia National Forest.

Tuolumne—All that portion situated westerly of Stanislaus National Forest.

Ventura

Yolo

Yuba

SECTION 2. *Effective Hours.* All lighting restrictions hereinafter provided shall be applicable and observance thereof required at all times from one-half hour after sunset until one-half hour before sunrise each night from 1 October to 30 April, and from one hour after sunset until one hour before sunrise each night from 1 May to 30 September.

SECTION 3. *Restrictions in Both Lighting Zones A and B.* Subject to the exceptions hereinafter provided, during the hours specified in Section 2 hereof illumination within Lighting Zones A and B shall be controlled as follows:

(a) Advertising and Decorative Lighting. Illuminated signs and ornamental, decorative and display lighting of every description which are located out-of-doors, and floodlighting which illuminates buildings or signs, shall be extinguished.

(b) Upward Light. All light sources of every description shall be situated or shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors.

(c) Outdoor Area Illumination. Illumination on any outdoor area shall not exceed one foot candle at any point.

SECTION 4. *Additional Restrictions in Lighting Zone B.* Subject to the exceptions hereinafter provided, during the hours specified in Section 2 hereof, any light source located within Lighting Zone B which is directly visible from the sea, as hereinafter defined, shall be either extinguished or shielded so that it is no longer directly visible from the sea, in addition to the applicable restrictions provided in Section 3 hereof.

SECTION 5. Restrictions in Lighting Zone C. Subject to the exceptions hereinafter provided, during the hours specified in Section 2 hereof illumination within Lighting Zone C shall be controlled as follows:

(a) **Upward Light.** All electric incandescent lamps in excess of 100 watts capacity, and all other light sources producing equivalent light intensity, when located out-of-doors, shall be shielded so that no direct rays from any light source are emitted above the horizontal out-of-doors. Any accumulation of light sources located within or above any ten foot square of outdoor ground area shall be deemed to be a single light source, and if the aggregate intensity of such an accumulation of light sources exceeds the limit expressed in the preceding sentence, then all such light sources shall be shielded.

(b) **Outdoor Area Illumination.** Illumination on any outdoor area shall not exceed five foot candles at any point.

SECTION 6. Exceptions. Certain exceptions from the foregoing restrictions are made as follows:

(a) **Industry, Safety, Health and Welfare.** Variations from any of the restrictions of this Proclamation may be permitted by the written approval of the Commanding General of the Western Defense Command, or any agency designated by such commander to approve such variations, obtained in advance, but only when and to the extent required to achieve and maintain maximum industrial efficiency, or reasonable safety of persons or property, or to maintain health and welfare and only to the extent consistent with the requirements of military necessity as determined from time to time by the Commanding General of the Western Defense Command. All approvals of lighting variations shall be reported to, and subject to revocation by the Commanding General, Western Defense Command. All approvals presently in effect under the provisions of Chapter 229, Statutes 1943, in respect to any illumination within Lighting Zones A, B or C, established herein, shall remain in effect as if reissued hereunder.

(b) **Interior Lighting.** Upward light emitted out-of-doors from any light source shall be permitted if the light source is (1) within any building and more than six feet from the nearest window or other opening in the wall of the building, or (2) at any location within a building used primarily as a residence, apartment, hotel or residential club, if all the direct rays emitted above the horizontal out-of-doors are shielded by any customary residential type of lamp shade; but in either case no direct rays from any light source shall be emitted through any skylight, and all indoor light sources within Lighting Zone B shall be shielded so that they are not directly visible from the sea. (See Section 5 for further exception of interior light sources in Lighting Zone C.)

(c) **Recreational Lighting.** Outdoor area illumination up to a maximum of 30 foot candles is permitted in any location more than three miles from the sea as hereinafter defined, but only when and to the extent actually required and primarily used for sports or recreation, and when otherwise in compliance with the applicable restrictions of Sections 3 and 4 hereof.

(d) **Vehicle Lights.** All vehicle lights required by law are permitted; provided, however, that within Lighting Zone B, in areas visible from the sea as hereinafter defined, driving lamps shall be operated only on the low or depressed beam. Authorized emergency vehicles on official emergency missions are excepted from all the restrictions of this Proclamation.

(e) **Route and Destination Signs.** Illuminated route and destination signs on public carrier vehicles are excepted from all the restrictions of this Proclamation.

(f) **Traffic Signs and Signals.** Illuminated signs and signals authorized by governmental authority to control or direct traffic are excepted from all the foregoing restrictions; provided, however, that such signals are illuminated by electric lamps of not more than 100 watt capacity or the equivalent, and that the actual light sources illuminating such signs are shielded to comply with Sections 3 and 4 hereof.

(g) **Highway Flares and Obstruction Lights.** Fuses or similar flares in an emergency, or so-called bomb type flares and warning lanterns, are excepted from all the foregoing restrictions, but only when and to the extent actually and immediately required to warn traffic of obstruction.

(h) **Navigation and Railroad Lights.** Authorized lights necessary to facilitate air or water navigation, authorized railroad signal lights, and headlights of railroad locomotives when in motion are excepted from all restrictions of this Proclamation.

(i) **Street and Highway Lights.** All street and highway lights are excepted from the restrictions of Sections 3 and 5 hereof, but they must be shielded so that each light source emits no more than 10 per cent of its total lamp lumens above the horizontal and must be controlled so that such light sources contribute no more than three-foot candles of illumination at any point upon the ground, and in lighting Zone B must be situated or shielded so that the light sources are not directly visible from the sea as hereinafter defined.

SECTION 7. *Definition.* As used herein, the following words and phrases shall have the following meanings:

(a) "Light Source." Any light generating element and the bright portion of any reflector, lens, luminaire, transparency, or other equipment associated therewith for the control or diffusion of light.

(b) "Sea." The waters of the Pacific Ocean and those bodies of water on the shoreline of California generally known as Santa Monica Bay, Santa Barbara Channel, San Luis Obispo Bay, Estero Bay and Monterey Bay. The waters of San Francisco Bay, lying easterly of a line extending from Point Bonita through Mile Rock, are not intended and shall not be construed to be a part of the sea.

(c) "Visible from the Sea." Actually and directly visible at any time from the sea, as defined above; provided that, solely for the purpose of Section 6 (d) hereof, the phrase "visible from the sea" shall include those portions of streets or highways which may not in fact be visible from the sea but which are within areas generally visible from the sea.

This proclamation is hereby designated "War Powers Proclamation No. 4," and shall take effect the tenth day of October, 1943.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of October, A.D., 1943.

(Signed)

EARL WARREN, Governor of California

ATTEST:

(Signed)

FRANK M. JORDAN, Secretary of State

[SEAL]

By ED LABOWITCH, Deputy Secretary of State

This proclamation filed 10.45 a.m., October 9, 1943.

War Powers Proclamation No. 5

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, Section 4 of Chapter 229, Statutes 1943, entitled an act to provide for precautions against enemy attack, including blackout and dimout regulations, etc., provides as follows:

"Sec. 4. Whenever the California State War Council, after such study, investigation or hearing as it may make, direct or conduct, shall find and determine that additional or different provisions restricting lighting are required in the areas described in Section 1 hereof, or that restrictions on such lighting are required in other areas in order to prevent aiding the operations of the enemy, the said State War Council shall address its findings to the Governor, and if the Governor concurs therein, he shall proclaim such additional or different restrictions and regulations governing illumination which shall thereupon become effective and shall have the same effect as laws of this State and shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and any other provisions of law governing illumination. The violation of any such regulations shall constitute a misdemeanor and be punishable as a violation of this chapter. In making such investigations and determinations, the State War Council is hereby directed to consider the findings and recommendations of the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War, and in no event shall the Governor proclaim more restrictive regulations than those specified by said Commanding General, it being the intention that insofar as possible the regulations so adopted shall be uniform with the orders or recommendations of the said Commanding General."

And

WHEREAS, The State War Council has duly found, determined and recommended that the lighting restrictions heretofore established by law and by authority of law and especially those imposed by War Powers Proclamation No. 4, dated 8 October 1943 and effective 10 October 1943, be immediately suspended, superseded, and revoked; and

WHEREAS, The said recommendations of the State War Council are uniform with the order of the Commanding General of the Western Defense Command in compliance with Section 4 of Chapter 229, Statutes 1943; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim that the lighting restrictions heretofore imposed by law and by authority of law and especially those imposed by said War Powers Proclamation No. 4 dated 8 October 1943 and effective 10 October 1943, and also those imposed by Sections 1, 2, and 3 of Chapter 229, Statutes 1943, are hereby suspended, superseded, and revoked, subject only to the necessity of reinstating some or all of the same or new restrictions as circumstances may hereafter require and the law in the premises may authorize.

This proclamation is hereby designated "War Powers Proclamation No. 5" and shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of November, A. D., one thousand nine hundred and forty-three.

(Signed)

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

[SEAL]

War Powers Proclamation No. 6

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA

WHEREAS, Section 15 of Chapter 229, Statutes 1943, entitled "An act to Provide for Precautions Against Enemy Attack, Including Blackout and Dimout Regulations," etc., provides as follows:

"Sec. 15. Whenever the State War Council after such study, investigation or hearing as it may make, direct or conduct shall find and determine that additional or different air raid precaution regulations are required in order to protect life or property, the State War Council shall address its findings to the Governor and if the Governor and the Commanding General of the Western Defense Command or such other military agency as may be designated by the Secretary of War concurs therein, the Governor shall proclaim such additional or different air raid precaution regulations which shall thereupon become effective and shall have the same effect as laws of this State. Such regulations shall supersede to the extent of any conflict the provisions of this chapter (including persons or subjects herein excluded from the operation of this chapter) and also any other provision of law which interferes with the purposes of this chapter. The violation of any such regulations shall constitute a misdemeanor and shall be punishable as a violation of this chapter."

And

WHEREAS, The State War Council has duly found, determined and recommended that the following additional air raid precaution regulations, concerning industrial processes, railroads, excavations, etc., are required for the protection of life and property; and

WHEREAS, The Commanding General of the Western Defense Command has concurred in the said findings, determinations and recommendations of the State War Council; now, therefore,

I, EARL WARREN, Governor of the State of California, do hereby proclaim the following air raid precaution regulations:

REGULATION CONCERNING INDUSTRIAL PROCESSES, RAILROADS, EXCAVATIONS, ETC.

Light emitted from industrial processes, such as furnaces, foundries and kilns, where the extinguishment of the light would involve serious difficulties in resuming operations after a blackout, all lights on or in railroad trains, cars or locomotives (whether such trains, cars or locomotives are operated by steam, diesel or electric power), including vestibule and marker lights; and red lights marking excavations, repairs or obstructions, shall be permitted at such places and during such periods (including blackout periods in areas of air raid alarm) and under such conditions as such light is specifically authorized in writing in advance by the Commanding General, Western Defense Command, or any other military agency designated by the Secretary of War, or an agency designated by such Commanding General to approve such variations.

This proclamation is hereby designated "War Powers Proclamation No. 6" and shall take effect the eleventh day of January, 1944.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed at Sacramento this eleventh day of January, A.D. 1944.

(Signed)

EARL WARREN, Governor of California

ATTEST:

FRANK M. JORDAN, Secretary of State

(Signed)

By CHAS. J. HAGERTY, Deputy Secretary of State

[SEAL]

Copy of Resolution of Executive Committee, Ninth Regional Civilian Defense Board, January 19, 1944

SUBJECT: *Railroad Train Lighting*

I hereby certify that the following is a true and correct copy of a resolution adopted by the Executive Committee of the Ninth Regional Civilian Defense Board at its meeting held on January 19, 1944:

"WHEREAS, The proclamation issued by the Governor of the State of California on May 19, 1943, concerning the control of lighting in connection with railroad operations, provides in paragraph 3 that window shades shall be drawn on all passenger cars at all times at night, and provides further in paragraph 8

that marker lights on railroad trains shall be hooded at all times at night to reduce the upward light to a minimum; and

WHEREAS, Under the provisions of War Powers Proclamation No. 6, issued by the Governor of the State of California on January 11, 1944, the Ninth Regional Civilian Defense Board as the agency designated for that purpose by the Commanding General, Western Defense Command, is authorized to approve variations from the restrictions provided in paragraphs 3 and 8 of said proclamation issued on May 19, 1943; and

WHEREAS, It is apparent that the crews of railroad trains operating in urban areas can ascertain by reasonable observations of nearby stationary light sources whether or not a blackout is in effect; and

WHEREAS, In unpopulated areas the light control measures referred to above are not deemed to be of vital importance for the general defense of the Pacific Coast against air attack but are important only in respect to the protection of the particular train involved and the passengers therein; and

WHEREAS, Such restrictions cause substantial inconvenience to passengers and trainmen and are not consistent with maximum safety in railroad operations; now, therefore, be it

Resolved, That unshaded and unrestricted lights in passenger cars are hereby authorized and approved at all times and places where a period of air raid alarm is not in effect, and that unhooded railroad train marker lights are hereby authorized and approved at all times whether or not a blackout period is in effect. All operators of railroad trains are cautioned to establish all reasonably possible arrangements for prompt notification of train crews when a train enters an area where a period of air raid alarm is in effect. This approval applies only to illumination within the State of California where the Ninth Regional Civilian Defense Board has authority to take this action under the provisions of said War Powers Proclamation No. 6. This approval is subject to revocation at any time whenever the Board deems such action necessary."

Dated: January 19, 1944

(Signed)

LLOYD M. SMITH, Secretary
Ninth Regional Civilian Defense Board

Copy of Resolution of Executive Committee, Ninth Regional Civilian Defense Board, January 19, 1944

SUBJECT: Warning Lanterns

I hereby certify that the following is a true and correct copy of a resolution adopted by the Executive Committee of the Ninth Regional Civilian Defense Board at its meeting held on January 19, 1944:

"WHEREAS, The provisions of Chapter 229, California Laws of 1943, require that warning lanterns be attended at all times at night by a competent person who has undertaken the responsibility for such lighting and that they be extinguished during blackout periods in areas of air raid alarm, except for lanterns shielded in accordance with the specifications in Section 12(d) of said Chapter 229; and

WHEREAS, It appears that lanterns shielded in compliance with the specifications of said Section 12(d) do not provide the most effective warning for marking excavations and other obstructions on public streets and highways, and that permission to use ordinary lanterns equipped with red globes without any further shielding will not unduly endanger the defense of the Pacific Coast under present conditions; and

WHEREAS, Under the provisions of War Powers Proclamation No. 6, issued by the Governor of the State of California on January 11, 1944, the Ninth Regional Civilian Defense Board, as the agency designated for such purpose by the Commanding General, Western Defense Command, is authorized to approve variations from said restrictions concerning warning lanterns; now, therefore, be it

Resolved, That the use of ordinary kerosene lanterns equipped with red globes, or the equivalent, where required to warn persons of the presence of excavations, repairs or other obstructions on public streets, roads, highways or railroads is hereby approved without any further shielding and without the necessity for having said lights attended at night. This approval relates to all times and places within the State of California, including blackout periods in areas of air raid alarm. This approval applies only to illumination within the State of California where the Ninth Regional Civilian Defense Board has authority to take this action under the provisions of said War Powers Proclamation No. 6. This approval is subject to revocation at any time whenever the Board deems such action necessary."

Dated: January 19, 1944

(Signed)

LLOYD M. SMITH, Secretary
Ninth Regional Civilian Defense Board

RESOLUTIONS

The following resolutions were offered:

By Messrs. Middough, Johnson, and Dills, Ralph C.:

House Resolution No. 62

WHEREAS, It is a matter of common knowledge that many thousands of persons engaged in shipbuilding, airplane construction and other war industries are unable to secure living quarters within convenient distance from their places of work, or convenient to public transportation lines, and that such persons are compelled to use any and every possible means of transportation; and,

WHEREAS, Governmental authorities and agencies have represented it to be a paramount duty of citizens to offer every possible assistance by "sharing the ride" arrangements and other plans; and

WHEREAS, It is the sense of this Assembly that such workers and those who would aid them in solving the transportation problem should not be hindered or embarrassed by unnecessary obstacles or burdens of any kind; now, therefore, be it

Resolved by the Assembly of the State of California, That the word "Operator" as used in Section 9651 of the Revenue and Taxation Code, as amended, should be understood as referring only to a person regularly engaged as a means of livelihood in the business of transporting persons for hire over the public highways of the State; and be it further

Resolved, That it was not the intention of the Legislature that the tax imposed by the so-called Motor Vehicle Transportation License Tax Law should be imposed upon volunteer owners, drivers, or operators of private automobiles or make-shift vehicles temporarily adapted to transport employees to their work in plants engaged in war activities; and be it further

Resolved, That it is the hope and desire of this House that the State Board of Equalization and its staff will construe the said Transportation License Tax Law with great liberality so as not to impose hardship or undue restrictions on persons seeking to be of service in the war effort.

Request for Unanimous Consent

Mr. Middough asked for, and was granted, unanimous consent to take up House Resolution No. 62, at this time, without reference to committee.

Resolution read and adopted.

By Mr. Debs:

House Resolution No. 63

Resolved, That the Speaker appoint a Committee of Three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

Request for Unanimous Consent

Mr. Debs asked for, and was granted, unanimous consent to take up House Resolution No. 63, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 63, the Speaker announced the appointment of Messrs. Debs, Thompson, and King as such Select Committee.

By Mr. Anderson:

House Resolution No. 64

Resolved, That the Speaker appoint a Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors, is ready to adjourn, and awaits his further pleasure.

Request for Unanimous Consent

Mr. Anderson asked for, and was granted, unanimous consent to take up House Resolution No. 64, at this time, without reference to committee.

Resolution read and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 64, the Speaker announced the appointment of Messrs. Anderson, Leonard, Weber, Haggerty, and Burns as such Select Committee.

COMMITTEE FROM THE SENATE

A committee from the Senate, consisting of Senators Hatfield, Parkman, and Deuel, appeared before the bar of the Assembly and announced that the Senate had concluded its labors and was now ready to adjourn the Fifty-fifth (Third Extraordinary) Session sine die.

REPORTS OF SPECIAL COMMITTEES

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

The Select Committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

REPORTS OF STANDING COMMITTEES**Committee on Legislative Procedure**

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 10—Relative to pay scales of State employees;

Assembly Concurrent Resolution No. 12—Relative to encouraging industry to mobilize its resources and capacities to build the West and its empire; And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1944, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2—Relative to memorializing Congress to enact legislation providing a bill of rights for veterans of World War II;

Assembly Joint Resolution No. 5—Relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipments suitable for civilian use to United States veterans of the present conflict, to cities and counties and to the State Departments of Education at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary;

Assembly Joint Resolution No. 14—Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news;

Assembly Joint Resolution No. 15—Relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring;

Assembly Joint Resolution No. 16—Relative to the hospitalization of veterans;

Assembly Joint Resolution No. 17—Relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of January, 1944, at 4 p.m.

PELLETIER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3—An act to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 3720, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7842.5, 7964.5, 7971.5, and 7972.5 to, and to amend

Sections 2935, 2965, 5901.5 and 5931.5 of, and to repeal Section 1325 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 6—An act to amend Sections 202 and 4896 of, and to add Section 4653.5 to, the Revenue and Taxation Code, relating to taxation of property belonging to the United States and receipt of payments in lieu of such taxation; And reports that the same have been correctly enrolled, and presented to the Governor on the thirty first day of January, 1944, at 4 p.m.

PELLETIER, Chairman

Committee on Rules and House Functions

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Rules and House Functions, to which were referred:

Assembly Joint Resolution No. 3	House Resolution No. 34
Assembly Joint Resolution No. 4	House Resolution No. 35
Assembly Joint Resolution No. 8	House Resolution No. 38
Assembly Joint Resolution No. 9	House Resolution No. 40
House Resolution No. 16	Assembly Concurrent Resolution No. 11
House Resolution No. 23	Senate Joint Resolution No. 7
House Resolution No. 24	Senate Joint Resolution No. 8
Assembly Constitutional Amendment No. 3	

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

Above reported Senate joint resolutions ordered transmitted to the Senate.

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Elections, to which were referred:

Assembly Bill No. 4
Assembly Bill No. 5
Assembly Bill No. 8

Respectfully reports the same back without further action.

ROBERTSON, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

House Resolution No. 20
House Resolution No. 21

Respectfully reports the same back without further action.

FIELD, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Constitutional Amendment No. 1

Respectfully reports the same back without further action.

BASHORE, Chairman

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Concurrent Resolution No. 5

Respectfully reports the same back without further action.

WEYBRET, Chairman

Committee on Penal System Reform

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: Your Committee on Penal System Reform, to which was referred:

Assembly Bill No. 2

Respectfully reports the same back without further action.

FIELD, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day has stricken from file the following Assembly resolutions:

Assembly Constitutional Amendment No. 2
Assembly Joint Resolution No. 6
Assembly Concurrent Resolution No. 7

JOSEPH A. BEEK, Secretary of the Senate
By HARRY A. HAMMOND, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 31, 1944

MR. SPEAKER: I am directed to inform your honorable body that the following Assembly resolution is being returned for the reason that no action has been taken thereon by the Senate:

Assembly Joint Resolution No. 10

JOSEPH A. BEEK, Secretary of the Senate
By A. R. BELLISLE, Assistant Secretary

MOTION TO APPROVE JOURNALS

On motion of Mr. Sam L. Collins, the Journals for Thursday, January 27, 1944; Friday, January 28, 1944; Saturday, January 29, 1944; Sunday, January 30, 1944 and Monday, January 31, 1944 (Third Extraordinary) Session, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Charles H. Painter. C. B. M., U. S. N.

On request of Mr. Lowrey, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Supervisor Tom Cummings of Woodland, Yolo County.

On request of Messrs. Brown and Allen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Leslie Cleary, District Attorney of Modesto, H. McKinley Thompson, and Kenneth Knudson.

On request of Mr. Debs, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain William Smith of Eagle Rock.

On request of Messrs. Gannon and Desmond, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Captain Douglas Currey, 13th Air Force, 18th Fighter Group, 44th Fighter Squadron.

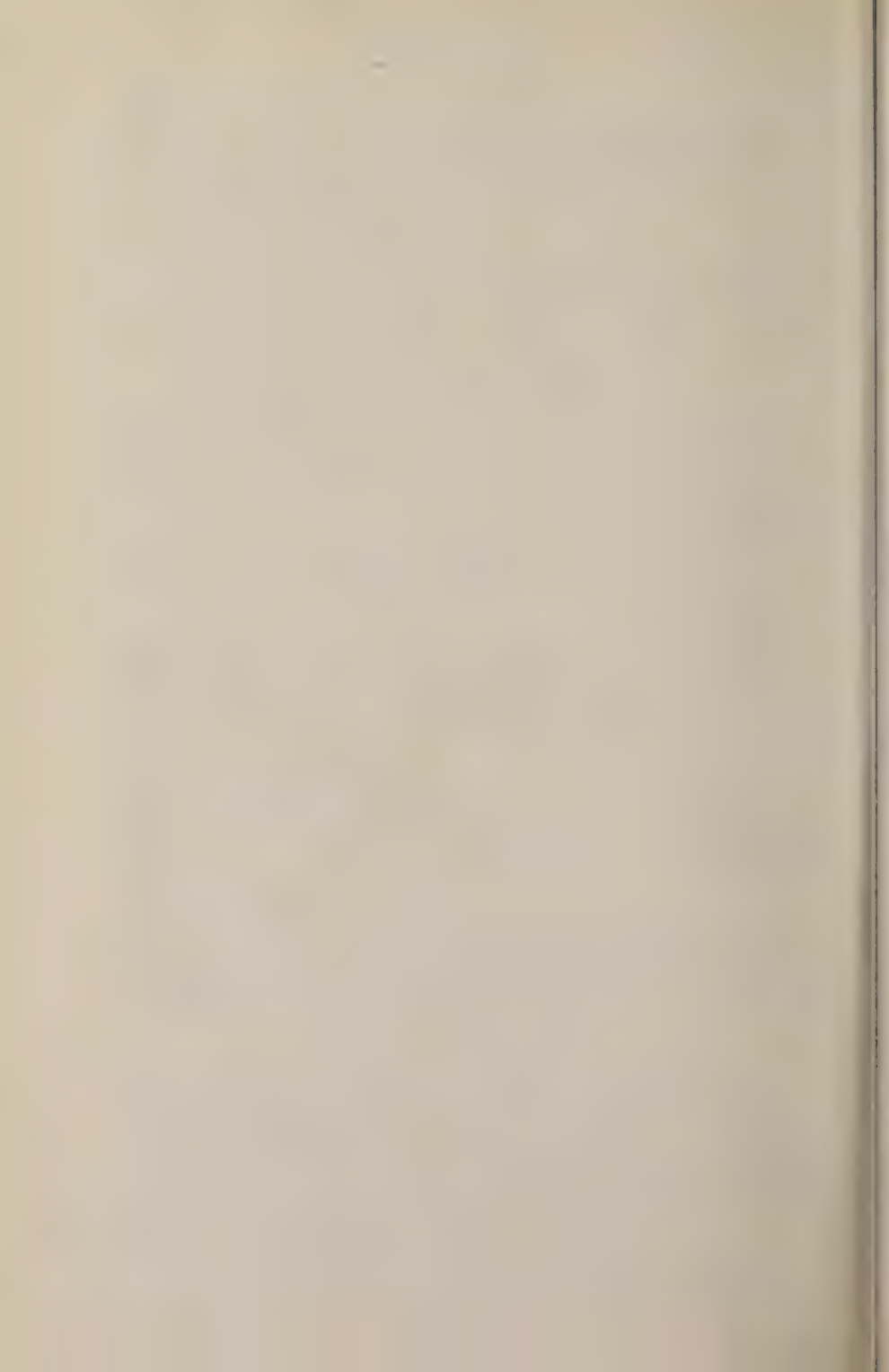
On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to the following students from the Stockton High School: Bob Stein, Ann Passodore, Andrew Nielson, Dule Cooper, Mary Borelli, and their teacher, Norman Marquis.

On request of the Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mary Malone and Annette Shockley of Riverside, Leora Warren and Hazel Schumacher of Modesto, Alberta Wallace of Long Beach, Ethel Winters of Sacramento, and Marjorie L. Hawthorne of Santa Ana, newly-elected officers of the United Association of Registered Cosmetologists, Ltd., of California.

ADJOURNMENT SINE DIE

At 4.30 p.m., Monday, January 31, 1944, in accordance with the provisions of Senate Concurrent Resolution No. 9, Hon. Charles W. Lyon, Speaker of the Assembly, announced that the time for final adjournment of the Fifty-fifth (Third Extraordinary) Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die out of respect to the memory of the late Jack Doyle and the late Carl C. Baker.

C. WILLIAM QUEALE, Minute Clerk



SUPPLEMENT TO ASSEMBLY JOURNAL

ASSEMBLY FINAL HISTORY FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION JANUARY 27—JANUARY 31, 1944

ASSEMBLY ORDER OF BUSINESS

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading of the Previous Day's Journal.
4. Presentation of Petitions.
5. Introduction and Reference of Bills.
6. Reports of Committees.
7. Second Reading of Bills.
8. Messages from the Governor.
9. Messages from the Senate.
10. Motions and Resolutions.
11. Business on the Daily File.
12. Announcements.
13. Adjournment.

OFFICERS OF THE ASSEMBLY

HON. CHARLES W. LYON
SPEAKER

HON. THOMAS A. MALONEY
SPEAKER PRO TEMPORE

ARTHUR A. OMNIMUS
CHIEF CLERK

C. W. QUEALE
MINUTE CLERK

REV. CLARENCE A. KIRCHER
CHAPLAIN

WILKIE OGG
SERGEANT-AT-ARMS

MEMBERS OF THE LEGISLATURE, COUNTY AND DISTRICT

County	Assembly District	Assemblyman	Senatorial District	Senator
Alameda	13	Francis Dunn, Jr.	16	Arthur H. Breed, Jr.
Alameda	14	Randal F. Dickey	16	Arthur H. Breed, Jr.
Alameda	15	Bernard A. Sheridan	16	Arthur H. Breed, Jr.
Alameda	16	Arthur W. Carlson	16	Arthur H. Breed, Jr.
Alameda	17	Edward J. Carey	16	Arthur H. Breed, Jr.
Alameda	18	Gardiner Johnson	16	Arthur H. Breed, Jr.
Alpine	6	Allen G. Thurman	9	H. E. Dillinger
Amador	6	Allen G. Thurman	9	H. E. Dillinger
Butte	4	Albert M. King	6	Charles H. Deuel
Calaveras	6	Allen G. Thurman	26	Jesse M. Mayo
Colusa	3	Lloyd W. Lowrey	8	Clair Engle
Contra Costa	10	Harold F. Sawallisch	17	T. H. DeLap
Del Norte	1	Michael J. Burns	2	Randolph Collier
El Dorado	6	Allen G. Thurman	9	H. E. Dillinger
Fresno	34	J. G. Crichton	30	Hugh M. Burns
Fresno	35	S. L. Heisinger	30	Hugh M. Burns
Glenn	3	Lloyd W. Lowrey	8	Clair Engle
Humboldt	1	Michael J. Burns	3	Irwin T. Quinn
Imperial	77	Harvey E. Hastain	39	George E. Luckey
Inyo	6	Allen G. Thurman	28	Charles Brown
Kern	39	Thomas Harold Werdel	34	Jesse R. Dorsey
Kings	36	C. L. Guthrie	27	R. R. Cunningham
Lake	5	Ernest C. Crowley	4	George M. Biggar
Lassen	2	Paul Denny	1	Harold J. Powers
Los Angeles	40	William H. Rosenthal	38	Jack B. Tenney
Los Angeles	41	Julian Beck	38	Jack B. Tenney
Los Angeles	42	Everett G. Burkhalter	38	Jack B. Tenney
Los Angeles	43	C. Don Field	38	Jack B. Tenney
Los Angeles	44	John B. Pelletier	38	Jack B. Tenney
Los Angeles	45	Thomas J. Doyle	38	Jack B. Tenney
Los Angeles	46	Glenn M. Anderson	38	Jack B. Tenney
Los Angeles	47	Willis Sargent	38	Jack B. Tenney
Los Angeles	48	T. Fenton Knight	38	Jack B. Tenney
Los Angeles	49	Lee T. Bashore	38	Jack B. Tenney
Los Angeles	50	Thomas M. Erwin	38	Jack B. Tenney
Los Angeles	51	Elwyn S. Bennett	38	Jack B. Tenney
Los Angeles	52	Jonathan J. Hollibaugh	38	Jack B. Tenney
Los Angeles	53	Lothrop Smith	38	Jack B. Tenney
Los Angeles	54	John B. Knight	38	Jack B. Tenney
Los Angeles	55	Vernon Kilpatrick	38	Jack B. Tenney
Los Angeles	56	Ernest E. Debs	38	Jack B. Tenney
Los Angeles	57	Franklin J. Potter	38	Jack B. Tenney
Los Angeles	58	Frank J. Waters	38	Jack B. Tenney
Los Angeles	59	Charles W. Lyon	38	Jack B. Tenney
Los Angeles	60	Jesse Randolph Kellems	38	Jack B. Tenney
Los Angeles	61	Lester A. McMillan	38	Jack B. Tenney
Los Angeles	62	Augustus F. Hawkins	38	Jack B. Tenney
Los Angeles	63	Don A. Allen	38	Jack B. Tenney
Los Angeles	64	John C. Lyons	38	Jack B. Tenney
Los Angeles	65	John W. Evans	38	Jack B. Tenney
Los Angeles	66	Jack Massion	38	Jack B. Tenney
Los Angeles	67	Clayton A. Dills	38	Jack B. Tenney
Los Angeles	68	Vincent Thomas	38	Jack B. Tenney
Los Angeles	69	Ralph C. Dills	38	Jack B. Tenney
Los Angeles	70	Lorne D. Middough	38	Jack B. Tenney
Los Angeles	71	Fred N. Howser*	38	Jack B. Tenney
Madera	31	George A. Clarke	24	George J. Hatfield
Marin	7	Richard H. McCollister	13	Thomas F. Keating
Mariposa	6	Allen G. Thurman	26	Jesse M. Mayo
Mendocino	1	Michael J. Burns	4	George M. Biggar
Merced	31	George A. Clarke	24	George J. Hatfield
Modoc	2	Paul Denny	1	Harold J. Powers
Mono	6	Allen G. Thurman	28	Charles Brown

* Appointed District Attorney of Los Angeles, February 2, 1943.

MEMBERS OF THE LEGISLATURE, COUNTY AND DISTRICT—Continued

County	Assembly District	Assemblyman	Senatorial District	Senator
Monterey	33	Fred N. Weybret	25	Edward H. Tickle
Napa	5	Ernest C. Crowley	11	Frank L. Gordon
Nevada	6	Allen G. Thurman	7	Jerrold L. Seawell
Orange	74	Clyde A. Watson	35	Thomas H. Kuchel
Orange	75	Sam L. Collins	35	Thomas H. Kuchel
Placer	6	Allen G. Thurman	7	Jerrold L. Seawell
Plumas	2	Paul Denny	1	Harold J. Powers
Riverside	76	Nelson S. Dilworth	37	John Phillips
Sacramento	8	Chester F. Gannon	19	John Harold Swan
Sacramento	9	Earl D. Desmond	19	John Harold Swan
San Benito	32	Jacob M. Leonard	25	Edward H. Tickle
San Bernardino	72	R. Fred Price	36	Ralph E. Swing
San Bernardino	73	Douglas P. Armstrong	36	Ralph E. Swing
San Diego	78	Frederick H. Kraft	40	Ed Fletcher
San Diego	79	Kathryn T. Nichouse	40	Ed Fletcher
San Diego	80	Charles W. Stream	40	Ed Fletcher
San Francisco	19	Bernard R. Brady	14	John F. Shelley
San Francisco	20	Thomas A. Maloney	14	John F. Shelley
San Francisco	21	Albert C. Wollenberg	14	John F. Shelley
San Francisco	22	George D. Collins, Jr.	14	John F. Shelley
San Francisco	23	William Clifton Berry	14	John F. Shelley
San Francisco	24	Edward F. O'Day	14	John F. Shelley
San Francisco	25	Gerald P. Haggerty	14	John F. Shelley
San Francisco	26	Edward M. Gaffney	14	John F. Shelley
San Joaquin	11	Charles M. Weber	20	Bradford S. Crittenden
San Joaquin	12	James E. Thorp	20	Bradford S. Crittenden
San Luis Obispo	33	Fred Weybret	29	Chris N. Jespersen
San Mateo	27	Harrison W. Call	21	Harry L. Parkman
Santa Barbara	37	Alfred W. Robertson	31	Clarence C. Ward
Santa Clara	28	Raup Miller	18	Byrl R. Salsman
Santa Clara	29	John F. Thompson	18	Byrl R. Salsman
Santa Cruz	32	Jacob M. Leonard	23	H. R. Judah
Shasta	2	Paul Denny	5	Oliver J. Carter
Sierra	2	Paul Denny	7	Jerrold L. Seawell
Siskiyou	2	Paul Denny	2	Randolph Collier
Solano	5	Ernest C. Crowley	15	Thomas McCormack
Sonoma	7	Richard H. McCollister	12	Herbert W. Slater
Stanislaus	30	Ralph M. Brown	22	Hugh P. Donnelly
Sutter	4	Albert M. King	10	W. P. Rich
Tehama	3	Lloyd W. Lowrey	8	Clair Engle
Trinity	2	Paul Denny	5	Oliver J. Carter
Tulare	36	C. L. Guthrie	32	Frank W. Mixter
Tuolumne	6	Allen G. Thurman	26	Jesse M. Mayo
Ventura	38	Walter J. Fourt	33	James J. McBride
Yolo	3	Lloyd W. Lowrey	11	Frank L. Gordon
Yuba	4	Albert M. King	10	W. P. Rich

OFFICERS OF THE ASSEMBLY

Name	Title	Home Address	Local Address	Phone
King, Albert M.	Attorney	417 S. Hill St., Los Angeles	Hotel Sacramento	3-4881
Knight, John B.	Business Survey	4850 Oakwood Ave., La Canada	Hotel Bery	2-5971
Knight, T. Preston	Rancher	1889 Bacon St., San Diego	2711 Castro Way	5-1376
*Kraft, Frederick H.	Pharmacist	470 Haskins St., Hollister	Hotel Senator	2-5081
Leonard, Jacob M.	Commercial Secretary	694 N. Oakhurst Dr., Beverly Hills	Sutter Club	2-0456
Lowrey, Lloyd W.	Farm	370 N. Robinson St., San Francisco	Hotel Lehart	2-5871
Lyon, Charles W.	Attorney	370 N. Robinson St., San Francisco	Hotel Sacramento	3-4881
Madame, Thomas A.	Business Representative	77 Marquette Ave., Mill Valley	Hotel Callaghan	2-3841
Madison, Jack	Drugeist	2726 Forester In., Los Angeles	Hotel Lind	2-6961
McCallister, Richard H.	Attorney-Educator	233 Roswell Ave., Long Beach	El Rio	2-7581
McCallum, Lester A.	Attorney	1889 Bunker St., San Diego (1)	Hotel Bery	2-2971
Middough, Louis D.	Insurance	1333 Church St., San Francisco	Hotel Senator	2-5081
Mittler, Ralph	Insurer	3277 Princeton Ave., Hollywood	Hotel Land	2-5081
Moorhead, Kathryn T.	Attorney	1321 W. Euclid Ave., Ontario	State Capitol	2-1711
*O'Day, Edward F.	Attorney	1321 W. Euclid Ave., Ontario	Hotel Bery	2-2971
*O'Day, John B.	Attorney	309 S. Boyle Ave., Santa Barbara	Hotel Bery	2-2971
O'Brien, Franklin J.	Attorney	300 Ballona Way, Redwood	Hotel Senator	2-5081
O'Brien, R. Fred	Attorney	2155 Shattuck Dr., Berkeley	Hotel El Rancho	2-6881
O'Brien, William H.	Attorney	661 Del Mar Ave., Chula Vista	State Capitol	2-1711
*O'Connell, William F.	Attorney	729 20th St., San Pedro	Hotel Sacramento	2-5081
O'Connell, Harold F.	Attorney	Box 1, Box 290, San Jose	Hotel Bery	2-2971
Shanahan, Bernard A.	Attorney	Lockwood	Hotel Senator	2-5081
Smith, Lillian	Attorney	676 Kensington Ave., Los Angeles	Hotel Bery	2-2971
Stream, Charles W.	Real Estate-Insurance	2500 F. J. National Bldg., Stockton	Elis Club	2-1001
Thomas, Vincent	Law Student	2200 Pine St., Berkeley	915 13th St	2-5361
Thompson, John F.	Farmer	Star Route, Solvang	Hotel Sacramento	2-1881
Thompson, James E.	Farmer	277 S. Laurel St., San Francisco	Hotel Apts	
Thurman, Allen G.	Newspaperman			
Waters, Frank J.	Attorney			
Waters, Clyde A.	Orange Grower			
Webb, Charles M.	Civil Engineer-Farmer			
Wendel, Thomas Harold	Attorney			
Wendel, Fred	Redhead			
*Wellenberg, Albert C.	Attorney			

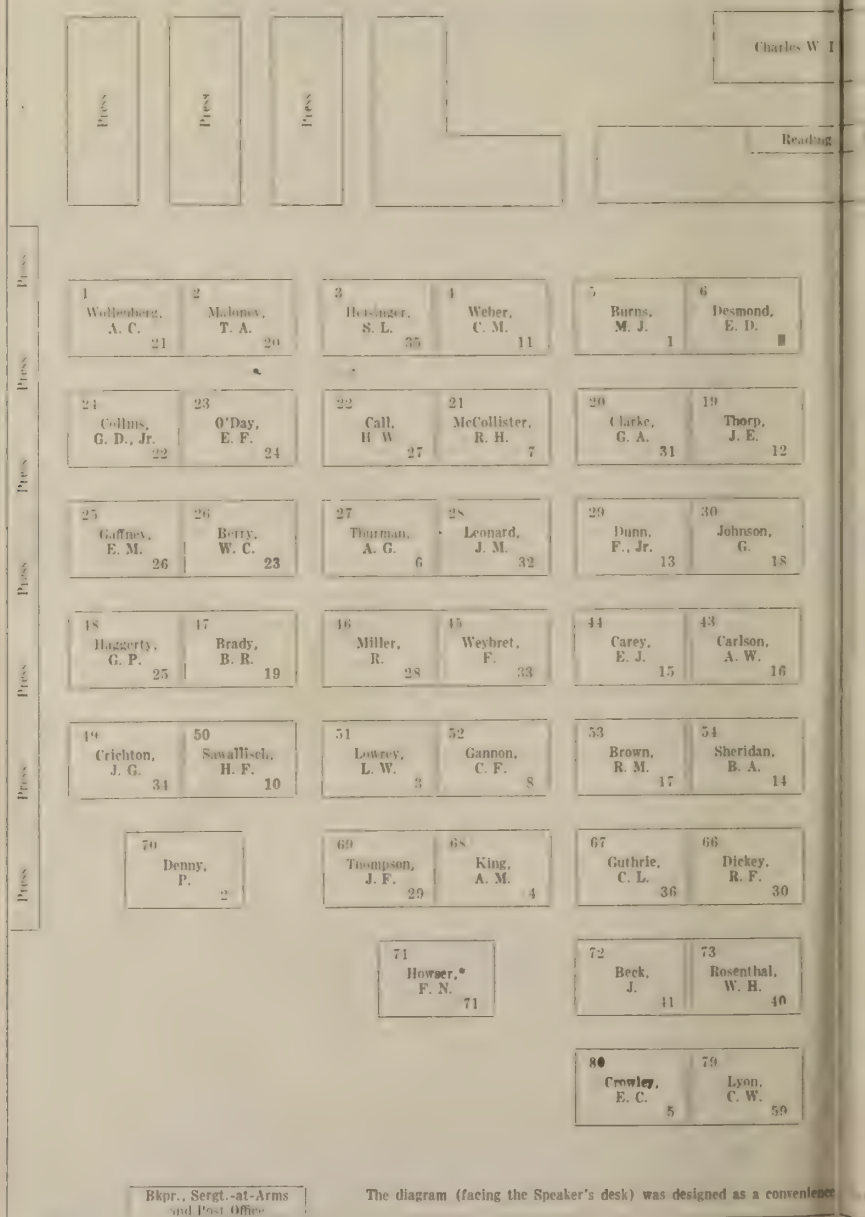
* Executive man

* Appointed District Attorney of Los Angeles, February 2, 1913.

Name	Title
Quinn, Arthur A.	Chief Clerk
Quade, C. W.	Minute Clerk
Ogden, W. L.	Sergeant at Arms
Kirchler, Rev. Clarence A.	Chaplain

Home Address	Local Address	Phone
Star Route, Solvang	Star Route, Solvang	2-5361
2025 24th St., San Francisco	2025 24th St.	3-6988
2329 1st Ave., Sacramento	2329 1st Ave.	5-2914
Star Route, Solvang	Star Route, Solvang	2-5361

DIAGRAM OF ASSEMBLY CHAMBER, SHOWING NAME AND SEAT NUMBER



OF EACH MEMBER—FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION, 1944

Speaker		Arthur A. Quinn Chief Clerk	Voting Machine Control
Clerk	C. W. Qucale Minute Clerk		Dolly Smith Secretary to Chief Clerk
7 Collins, S. L. 75	8 Bashore, L. T. 49	9 Hawkins, A. F. 62	10 Pelletier, J. B. 41
11 Thomas, V. 68	12 Armstrong, D. P. 73	13 Smith, L. 59	14 Erwin, T. M. 50
15 Kraft, F. H. 78	16 Stream, C. W. 80	17 Potter, F. L. 57	18 Field, C. D. 43
19 Knight, T. F. 48	20 Massion, J. 66	21 Anderson, G. M. 46	22 Watson, C. A. 71
23 Middough, L. D. 70	24 Knight, J. B. 51	25 Kellem, J. R. 60	26 Doyle, T. J. 45
27 Price, R. F. 72	28 McMillan, L. A. 61	29 Burkhalter, E. G. 42	30 Debs, E. E. 56
31 Allen, D. A. 63	32 Evans, J. W. 65	33 Dills, R. C. 69	34 Dills, C. A. 67
35 Niehouse, K. T. 79	36 Bennett, E. S. 51	37 Kilpatrick, V. 55	38 Robertson, A. W. 37
39 Werdel, T. H. 39	40 Wilkie Ogg Sergeant-at-Arms	41 Lyons, J. C. 64	42 76

Press

Press

Press

Press

Press

Press

Press

Press

Press

Press

Press

Press

ATTACHES OF THE ASSEMBLY

Name	Position	Home Address	Sacramento Address	Telephone
Michael Connolly	Assistant Sergeant-at-Arms	3705 W. 61st St., Los Angeles		
Albert Day	Journal Clerk	2508 T St., Sacramento	2508 T St.	6-2187
Juanita L. Dependence	Chief Stenographer	254 Cedar St., Roseville		
W. J. Greene	Assistant Sergeant-at-Arms	4311 Van Horne Ave., Los Angeles		
Rev. Clarence A. Kircher	Chaplain	2025 22d St., Sacramento	2025 22d St.	5-6988
Lillian Larkin	Postmistress	2209 23d St., Sacramento	2209 23d St.	6-7089
Morris Martin	Assistant Sergeant-at-Arms	3400 S. Somerset Dr., Los Angeles		
Stanley Mattox	Chief Page	4020 Sonoma Ave., Sacramento	4020 Sonoma Ave.	5-4863
Arthur A. Olmibus	Chief Clerk	Sacramento	Assembly Chamber	2-4711
Wilkie Ogg	Sergeant-at-Arms	3339 1st Ave., Sacramento	3339 1st Ave.	5-2911
C. William Queale	Minute Clerk	400 Malvern Ave., Fullerton	Hayward Hotel	
Dorothy Sims	Assistant Minute Clerk	1463 46th St., Sacramento	1463 46th St.	5-3844
Dolly Smith	Secretary to Chief Clerk	3716 30th St., Sacramento	3716 30th St.	6-2333

MEMBERS OF THE ASSEMBLY, DISTRICT AND COUNTY

Assembly District Number	Assemblyman	Counties Represented
1	Michael J. Burns	Del Norte, Humboldt, and Mendocino
2	Paul Denny	Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, and Trinity
3	Lloyd Lowrey	Colusa, Glenn, Tehama, and Yolo
4	Albert M. King	Butte, Sutter, and Yuba
5	Ernest C. Crowley	Lake, Napa, and Solano
6	Allen G. Thurman	Alpine, Amador, Calaveras, El Dorado, Inyo, Mariposa, Mono, Nevada, Placer, and Tuolumne
7	Richard H. McCollister	Marin and Sonoma
8	Chester F. Gannon	Sacramento
9	Earl D. Desmond	Sacramento
10	Harold F. Sawallisch	Contra Costa
11	Charles M. Weber	San Joaquin
12	James E. Thorp	San Joaquin
13	Francis Dunn, Jr.	Alameda
14	Randal F. Dickey	Alameda
15	Bernard A. Sheridan	Alameda
16	Arthur W. Carlson	Alameda
17	Edward J. Carey	Alameda
18	Gardiner Johnson	Alameda
19	Bernard R. Brady	San Francisco
20	Thomas A. Maloney	San Francisco
21	Albert C. Wollenberg	San Francisco
22	George D. Collins, Jr.	San Francisco
23	William Clifton Berry	San Francisco
24	Edward F. O'Day	San Francisco
25	Gerald P. Haggerty	San Francisco
26	Edward M. Gaffney	San Francisco
27	Harrison W. Call	San Mateo
28	Raup Miller	Santa Clara
29	John F. Thompson	Santa Clara
30	Ralph M. Brown	Stanislaus
31	George A. Clarke	Madera and Merced
32	Jacob M. Leonard	San Benito and Santa Cruz
33	Fred Weybret	Monterey and San Luis Obispo
34	J. G. Crichton	Fresno
35	S. L. Heisinger	Fresno
36	C. L. Guthrie	Kings and Tulare
37	Alfred W. Robertson	Santa Barbara
38	Walter J. Fourt	Ventura
39	Thomas Harold Werdel	Kern
40	William H. Rosenthal	Los Angeles
41	Julian Beck	Los Angeles
42	Everett G. Burkhalter	Los Angeles
43	C. Don Field	Los Angeles
44	John B. Pelletier	Los Angeles
45	Thomas J. Doyle	Los Angeles
46	Glenn M. Anderson	Los Angeles
47	Willis Sargent	Los Angeles
48	T. Fenton Knight	Los Angeles
49	Lee T. Bashore	Los Angeles
50	Thomas M. Erwin	Los Angeles
51	Elwyn S. Bennett	Los Angeles
52	Jonathan J. Hollibaugh	Los Angeles
53	Lothrop Smith	Los Angeles
54	John B. Knight	Los Angeles
55	Vernon Kilpatrick	Los Angeles
56	Ernest E. Debs	Los Angeles
57	Franklin J. Potter	Los Angeles
58	Frank J. Waters	Los Angeles
59	Charles W. Lyon	Los Angeles
60	Jesse Randolph Kellems	Los Angeles
61	Lester A. McMillan	Los Angeles

MEMBERS OF THE ASSEMBLY, DISTRICT AND COUNTY—Continued

Assembly District Number	Assemblyman	Counties Represented
62	Augustus F. Hawkins	Los Angeles
63	Don A. Allen	Los Angeles
64	John C. Lyons	Los Angeles
65	John W. Evans	Los Angeles
66	Jack Massion	Los Angeles
67	Clayton A. Dills	Los Angeles
68	Vincent Thomas	Los Angeles
69	Ralph C. Dills	Los Angeles
70	Lorne D. Middough	Los Angeles
71	*Fred N. Howser	Los Angeles
72	R. Fred Price	San Bernardino
73	Douglas P. Armstrong	San Bernardino
74	Clyde A. Watson	Orange
75	Sam L. Collins	Orange
76	Nelson S. Dilworth	Riverside
77	Harvey E. Hastain	Imperial
78	Frederick H. Kraft	San Diego
79	Kathryn T. Niehouse	San Diego
80	Charles W. Stream	San Diego

* Appointed District Attorney of Los Angeles County, February 2, 1943.

CAPITOL TELEPHONE EXCHANGE

2-4711

Under direction of

FRANK N. KILLAM

Chief, Bureau of Buildings and Grounds

MRS. CRUZ WALLQUIST

Chief Operator

SENATE		ASSEMBLY	
Room No.	Local No.	Room No.	Local No.
416 Engrossing and Enrolling-----	797	Desk Chief Clerk-----	2545
208-A President pro tempore-----	786	423 Engrossing and Enrolling----	607
204 Secretary of Senate-----	787	226-----	
404 Sergeant-at-Arms-----	2720	Booths Sergeant-at-Arms ----	2896, 2897
(for committee rooms)		436 Sergeant-at-Arms-----	2755
204-----		(for committee rooms)	
Booths Sergeant-at-Arms-----	2801	224 Speaker-----	2430
413 Stenographers-----	781	442 Stenographers-----	2249
421 Journal Clerk-----	2455	431 Journal Clerk-----	
		226 Bookkeeper-----	603
		4th Fl. Assemblymen (Pri. Off.)----	2247

TELEGRAPH AND TELEPHONE OFFICES

The Western Union office is located on the second floor of State Capitol in Room 226.

The Pacific Telephone and Telegraph Co. is located on second floor of State Capitol, attendant on duty between the hours of 9 a.m. and 10 p.m., phone 2-4701.

POST OFFICES**ASSEMBLY**

Located in office of the Sergeant-at-Arms (226)

MAIN POST OFFICE

Located at 9th and I Streets

DEPARTMENTAL OFFICES

Phone 2-4711—Locat

Adjutant General's Office.....	430 State Office Bldg. No. 1.....	2950
Advisory Pardon Board.....	503 G. State Office Bldg. No. 1.....	2920
Agriculture, Department of.....	2d Floor, State Office Bldg. No. 1.....	440
Appellate Court, Clerk.....	119 Library Bldg.....	2151
Appellate Court, Judge Thompson.....	117 Library Bldg.....	2147
Appellate Court, Judge Peck.....	118 Library Bldg.....	2152
Appellate Court, Judge Annette Adams.....	115 Library Bldg.....	2153
Associated Press.....	222 Capitol.....	698
Athletic Commission.....	119 State Office Bldg. No. 1.....	820
Attorney General's Office.....	101 Library Bldg.....	628
Attorney General's Office, Criminal Div.....	502 Office Bldg. No. 1.....	2685
Baking, Division of.....	631 J Street.....	3-6581
Barber Examiners.....	528 Business and Professions Bldg.....	2311
Buildings and Grounds, Bureau of.....	215 Capitol.....	881
Chiropractic Examiners.....	104 Forum Bldg.....	2315
Civil Service.....	1015 L Street.....	718
Compensation Insurance Fund.....	817 Forum Bldg.....	850
Contractors License Bureau.....	503 Business and Professions Bldg.....	2293
Controller's Office.....	137 Capitol.....	558
Controller's Office, Inheritance Tax.....	129 Capitol.....	845
Controller's Office, Gasoline Tax.....	426 State Office Bldg. No. 1.....	574
Controller's Office, Restitution Dept.....	136 Capitol.....	2083
Corporations, Division of.....	110 State Office Bldg. No. 1.....	720
Cosmetology, Board of.....	501 Business and Professions Bldg.....	878
Criminal Identification and Investigation.....	502 State Office Bldg. No. 1.....	2448
Education, Department of.....	500 Library Bldg.....	720
Employment, Department of.....	1025 P Street.....	893
Equalization, Board of.....	106 Business and Professions Bldg.....	2091
Finance, Department of.....	306 Capitol.....	481
Fish and Game, Division of.....	300 State Office Bldg. No. 1.....	635
Forestry, Division of.....	317 State Office Bldg. No. 1.....	2191
Franchise Tax Commissioner.....	4th Floor, Bus. and Prof. Bldg.....	2552
Governor's Office.....	113 Capitol.....	2864
Health, Public.....	631 J Street.....	2141
Highway Patrol.....	Motor Vehicle Bldg.....	831
Highways, Division of.....	Public Works Bldg.....	2324
Immigration and Housing.....	423 Forum Bldg.....	877
Income Tax Department.....	400 Business and Professions Bldg.....	679
Institutions, Department of.....	343 State Office Bldg. No. 1.....	478
Insurance, Division of.....	925 Forum Bldg.....	728
International News Service.....	225 Capitol.....	2-6027
Labor Statistics.....	500 Forum Bldg.....	853
Legislative Bill Room.....	213 Capitol.....	2136
Legislative Counsel Bureau.....	220 Capitol.....	865
Library, State.....	3d Floor, Library Bldg.....	587
Lieutenant Governor's Office.....	209 Capitol.....	2920
Medical Examiners.....	526 Business and Professions Bldg.....	2316
Military and Veterans Affairs.....	160 Business & Professions Bldg.....	2094
Motor Vehicles.....	Motor Vehicle Bldg., 12th and N Sts.....	500
Natural Resources.....	300-301 State Office Bldg. No. 1.....	640
Natural Resources, Accounting Room.....	337 State Office Bldg. No. 1.....	642
Natural Resources, Fish and Game.....	300 State Office Bldg. No. 1.....	635
Natural Resources, Forestry Division.....	317 State Office Bldg. No. 1.....	2191
Natural Resources, Mining Bureau.....	401 A State Office Bldg. No. 1.....	631
Natural Resources, Beaches and Parks.....	4th Floor State Office Bldg. No. 1.....	2234
Osteopathic Examiners.....	301 Forum Bldg.....	2314
Penology, Department of.....	502 State Office Bldg. No. 1.....	2447
Personnel Board.....	1015 L Street.....	718
Printing Office.....	211 Capitol.....	2138
Printing Plant.....	11th and O Sts.....	856
Professional and Vocational Standards.....	516 Business and Professions Bldg.....	893
Public Health, Department of.....	1st Floor, 631 J St.....	2141
Public Works, Architecture.....	160 Public Works Bldg.....	2160
Public Works, Director.....	Public Works Bldg.....	2201
Publications and Documents.....	214 Capitol.....	792
Purchases, Bureau of.....	107 State Office Bldg. No. 1.....	2500
Real Estate, Division of.....	584 Business and Professions Bldg.....	2257
Reclamation Board.....	1100 O Street.....	3-4671
Retirement System.....	102 State Office Bldg., No. 1.....	791

DEPARTMENTAL OFFICES—Continued

		Phone 2-4711—Local
Secretary of State.....	109 Capitol	2275
Selective Service Headquarters.....	Plaza Bldg.....	3-7991 2684
Social Welfare.....	616 K Street	2103
State Engineer, Water Resources.....	401 Public Works Bldg.....	823
State Lands, Division of.....	554 Business and Professions Bldg.....	783
Supreme Court Clerk.....	108 Library Bldg.....	621
Treasurer, State.....	121 Capitol	2157
United Press.....	221 Capitol	3-5685 697
United States Employment Service.....	1400 I Street.....	3-3941
Veterans' Welfare.....	160 Business and Professions Bldg.....	2096
War Council.....	422 State Office Bldg. No. 1.....	2993
Water Resources, Division of.....	401 Public Works Bldg.....	379
Youth Authority.....	1019 Forum Bldg.....	3-1907

ASSEMBLY MEASURES AND THEIR AUTHORS

ALLEN—

3, 4, 5.
A. J. R. 3, A. J. R. 14, A. J. R. 17.

ANDERSON—

3.
A. C. A. 3.
A. J. R. 5, A. J. R. 17.

ARMSTRONG—

3, 5.
A. J. R. 15, A. J. R. 17.

BASHORE

3, 6.
A. C. A. 1.
A. J. R. 1, A. J. R. 2, A. J. R. 3,
A. J. R. 7, A. J. R. 17.

BECK—

3.
A. J. R. 17.

BENNETT—

3.
A. C. A. 3.
A. J. R. 17.

BERRY—

3, 5.
A. C. R. 9.
A. J. R. 17.

BRADY—

1, 3.
A. C. R. 9.
A. J. R. 17.

BROWN—

3.
A. C. R. 11.
A. J. R. 17.

BURKHALTER—

3.
A. C. R. 11.

BURNS—

3.
A. C. A. 1.
A. J. R. 7.

CALL—

3.
A. C. R. 10.
A. J. R. 17.

CAREY—

3.
A. C. R. 7, A. C. R. 10.
A. J. R. 17.

CARLSON—

1, 3.
A. C. R. 7.
A. J. R. 17.

CLARKE—

1, 3, 5.
A. C. A. 1.
A. J. R. 7, A. J. R. 15, A. J. R. 17.

COLLINS, GEORGE D.—

3.
A. C. R. 9.
A. J. R. 17.

COLLINS, SAM L.—

1, 3, 7.

CRICHTON—

3.
A. J. R. 17.

CROWLEY—

3.
A. C. R. 6, A. C. R. 11.
A. C. A. 3.
A. J. R. 7, A. J. R. 17.

DEBS—

3.
A. C. A. 3.
A. J. R. 17.

DENNY—

3, 5.
A. J. R. 15, A. J. R. 17.

DESMOND—

2, 3.
A. C. A. 1.
A. C. R. 4.
A. J. R. 6, A. J. R. 7.

DICKY—

3.
A. C. A. 2.
A. C. R. 10.
A. J. R. 10.

DILLS, CLAYTON A.—

3.
A. J. R. 17.

DILLS, RALPH C.—

3.
A. C. A. 3.
A. J. R. 17.

DILWORTH—

3.
A. C. R. 6.
A. J. R. 10, A. J. R. 16.

DOYLE—

1, 3.
A. C. R. 1.
A. J. R. 17.

DUNN—

3, 5.
A. C. R. 7, A. C. R. 11.
A. J. R. 17.

ASSEMBLY MEASURES AND THEIR AUTHORS—Continued

ERWIN—

3.
A. J. R. 15, A. J. R. 17.

EVANS—

1, 3.
A. C. R. 6.
A. J. R. 17.

FIELD—

1, 3.
A. C. R. 6.
A. J. R. 3.

FOURT—

1, 3.
A. C. R. 10.
A. J. R. 17.

GAFFNEY—

3, 5.
A. C. R. 9.
A. J. R. 17.

GANNON—

1, 2, 3, 5.
A. C. R. 4.
A. J. R. 6.

GUTHRIE—

3, 5.
A. C. R. 12.
A. J. R. 12, A. J. R. 13, A. J. R. 15,
A. J. R. 17.

HAGGERTY—

3, 6.
A. C. A. 1.
A. C. R. 9.
A. J. R. 7, A. J. R. 11, A. J. R. 17.

HASTAIN—

3.
A. J. R. 15, A. J. R. 17.

HAWKINS—

3.
A. C. A. 3.
A. J. R. 17.

HEISINGER—

3.
A. C. R. 5.
A. J. R. 17.

HOLLIBAUGH—

3.
A. C. A. 2.
A. J. R. 17.

HOWSER**—

JOHNSON—

3.
A. C. A. 2.
A. C. R. 7, A. C. R. 12.
A. J. R. 12, A. J. R. 13, A. J. R. 17.

KELLEMS

3.
A. C. R. 3, A. C. R. 6.
A. J. R. 10, A. J. R. 15, A. J. R. 16,
A. J. R. 17.

KILPATRICK—

3, 8.
A. C. A. 3.
A. C. R. 11.
A. J. R. 17.

KING

3, 6.
A. C. A. 1.
A. C. R. 11.
A. J. R. 7, A. J. R. 15.

KNIGHT, JOHN B.

A. J. R. 17.

KNIGHT, T. FENTON

3.
A. C. R. 6, A. C. R. 12.
A. J. R. 12, A. J. R. 13.

KRAFT—

3.
A. C. A. 2.
A. J. R. 17.

LEONARD—

3.
A. J. R. 17.

LOWREY—

3, 5.
A. J. R. 4, A. J. R. 5, A. J. R. 10,
A. J. R. 17.

LYON—

3.
A. C. R. 1, A. C. R. 6, A. C. R. 7.
A. C. R. 8.
A. J. R. 1, A. J. R. 3.

LYONS—

3.
A. J. R. 17.

MALONEY—

3.
A. C. R. 6, A. C. R. 9, A. C. R. 10.
A. J. R. 3, A. J. R. 17.

MASSION—

3, 5.
A. C. A. 3.
A. J. R. 17.

MCCOLLISTER—

2, 3.
A. C. R. 10.

McMILLAN—

3, 5.
A. C. A. 3.
A. J. R. 17.

** Appointed District Attorney of Los Angeles, February 2, 1943.

ASSEMBLY MEASURES AND THEIR AUTHORS—Continued

MIDDOUGH—

3.
A. J. R. 17.

MILLER—

3.
A. J. R. 8.

NIEHOUSE

3.
A. C. R. 6.
A. J. R. 16. A. J. R. 17.

O'DAY—

3.
A. C. R. 9.
A. J. R. 17.

PELLETIER—

3.
A. J. R. 17.

POTTER—

PRICE—

3.
A. C. A. 2.
A. J. R. 17.

ROBERTSON—

3.
A. C. A. 3.
A. C. R. 6.
A. J. R. 17.

ROSENTHAL—

3. 8.
A. C. A. 3.
A. J. R. 9. A. J. R. 17.

SARGENT—

SAWALLISCH—

A. C. R. 10.
A. J. R. 11. A. J. R. 17.

SHERIDAN—

3.
A. C. A. 2.
A. C. R. 7. A. C. R. 10.
A. J. R. 17.

SMITH—

STREAM—

3.
A. J. R. 17.

THOMAS—

3.
A. C. R. 8.
A. J. R. 17.

THOMPSON—

3.
A. C. R. 12.
A. J. R. 8. A. J. R. 12. A. J. R. 13.
A. J. R. 15. A. J. R. 17.

THORP—

3.
A. J. R. 15. A. J. R. 17.

THURMAN—

A. C. A. 1.

WATERS—

3.
A. J. R. 17.

WATSON—

3.
A. J. R. 15. A. J. R. 17.

WEBER—

3.
A. C. R. 12.
A. J. R. 12. A. J. R. 13. A. J. R. 17.

WERDEL—

3.

WEYBRET—

3.
A. C. R. 2.

WOLLENBERG—

1. 3.
A. C. A. 1.
A. C. R. 9. A. C. R. 10.
A. J. R. 17.

RECAPITULATION OF ASSEMBLY MEASURES, THEIR AUTHORS AND COMMITTEES TO WHICH REFERRED:

ALLEN—

Elections and Reapportionment—3, 4, 5.
Rules and House Functions—
A. J. R. 3, A. J. R. 14, A. J. R. 17.

ANDERSON—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. A. 3.
A. J. R. 5, A. J. R. 17.

ARMSTRONG—

Elections and Reapportionment—3, 5.
Rules and House Functions—
A. J. R. 15, A. J. R. 17.

BASHORE—

Elections and Reapportionment—3.
Revenue and Taxation—6.
A. C. A. 1.
Rules and House Functions—
A. J. R. 1, A. J. R. 2, A. J. R. 3,
A. J. R. 7, A. J. R. 17.

BECK—

Elections and Reapportionment—3.
Rules and House Functions—
A. J. R. 17.

BENNETT—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. A. 3.
A. J. R. 17.

BERRY—

Elections and Reapportionment—3, 5.
Rules and House Functions—
A. J. R. 17.
Without reference to committee—
A. C. R. 9.

BRADY—

Elections and Reapportionment—3.
Penal System Reform—1.
Rules and House Functions—
A. J. R. 17.
Without reference to committee—
A. C. R. 9.

BROWN—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. R. 11.
A. J. R. 17.

BURKHALTER—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. R. 11.

BURNS—

Elections and Reapportionment—3.
Revenue and Taxation—
A. C. A. 1.
Rules and House Functions—
A. J. R. 7.

CALL—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. R. 10.
A. J. R. 17.

CAREY—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. R. 10.
A. J. R. 17.
Without reference to committee—
A. C. R. 7.

CARLSON—

Elections and Reapportionment—3.
Penal System Reform—1.
Rules and House Functions—
A. J. R. 17.
Without reference to committee—
A. C. R. 7.

CLARKE—

Elections and Reapportionment—3, 5.
Penal System Reform—1.
Revenue and Taxation—
A. C. A. 1.
Rules and House Functions—
A. J. R. 7, A. J. R. 15, A. J. R. 17.
Without reference to committee—
A. C. A. 1.

COLLINS, GEORGE D.—

Elections and Reapportionment—3.
Rules and House Functions—
A. J. R. 17.
Without reference to committee—
A. C. R. 9.

COLLINS, SAM L.—

Elections and Reapportionment—3.
Penal System Reform—1.
Without reference to committee—7.

CRICHTON—

Elections and Reapportionment—3.
Rules and House Functions—
A. J. R. 17.

CROWLEY—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. A. 3.
A. C. R. 11.
A. J. R. 7, A. J. R. 17.
Without reference to committee—
A. C. R. 6.

DEBS—

Elections and Reapportionment—3.
Rules and House Functions—
A. C. A. 3.
A. J. R. 17.

DENNY—

Elections and Reapportionment—3, 5.
Rules and House Functions—
A. J. R. 15, A. J. R. 17.

RECAPITULATION OF ASSEMBLY MEASURES, THEIR AUTHORS AND COMMITTEES TO WHICH REFERRED—Continued

DESMOND—

- Elections and Reapportionment—3.
- Penal System Reform—2.
- Revenue and Taxation—
- A. C. A. 1.
- Rules and House Functions—
- A. J. R. 6. A. J. R. 7.
- Without reference to committee—
- A. C. R. 4.

DICKEY—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. C. R. 10.
- A. J. R. 10.
- Without reference to committee—
- A. C. A. 2.

DILLS, CLAYTON A.—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.

DILLS, RALPH C.

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. C. A. 3.
- A. J. R. 17.

DILWORTH—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 10. A. J. R. 16.
- Without reference to committee—
- A. C. R. 6.

DOYLE—

- Elections and Reapportionment—3.
- Penal System Reform—1.
- Rules and House Functions—
- A. J. R. 17.
- Without reference to committee—
- A. C. R. 1.

DUNN—

- Elections and Reapportionment—3, 5.
- Rules and House Functions—
- A. C. R. 11.
- A. J. R. 17.
- Without reference to committee—
- A. C. R. 7.

ERWIN—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 15. A. J. R. 17.

EVANS

- Elections and Reapportionment—3.
- Penal System Reform—1.
- Rules and House Functions—
- A. J. R. 17.
- Without reference to committee—
- A. C. R. 6.

FIELD—

- Elections and Reapportionment—3.
- Penal System Reform—1.
- Rules and House Functions—
- A. J. R. 3.
- Without reference to committee—
- A. C. R. 6.

FOURT—

- Elections and Reapportionment—3.
- Penal System Reform—1.
- Rules and House Functions—
- A. C. R. 10.
- A. J. R. 17.

GAFFNEY—

- Elections and Reapportionment—3, 5.
- Rules and House Functions—
- A. J. R. 17.
- Without reference to committee—
- A. C. R. 9.

GANNON—

- Elections and Reapportionment—3, 5.
- Penal System Reform—1, 2.
- Rules and House Functions—
- A. J. R. 6.
- Without reference to committee—
- A. C. R. 4.

GUTHRIE—

- Elections and Reapportionment—3, 5.
- Rules and House Functions—
- A. C. R. 12.
- A. J. R. 12. A. J. R. 13. A. J. R. 15.
- A. J. R. 17.

HAGGERTY—

- Elections and Reapportionment—3.
- Revenue and Taxation—6.
- A. C. A. 1.
- Rules and House Functions—
- A. J. R. 7. A. J. R. 17.
- Without reference to committee—
- A. C. R. 9.
- A. J. R. 11.

HASTAIN—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 15. A. J. R. 17.

HAWKINS—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. C. A. 3.
- A. J. R. 17.

HEISINGER—

- Agriculture—
- A. C. R. 5.
- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.

RECAPITULATION OF ASSEMBLY MEASURES, THEIR AUTHORS AND COMMITTEES TO WHICH REFERRED—Continued

HOLLIBAUGH—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.
- Without reference to committee—
- A. C. A. 2.

HOWSER**—

JOHNSON—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. C. R. 12.
- A. J. R. 12, A. J. R. 13, A. J. R. 17.
- Without reference to committee—
- A. C. A. 2.
- A. C. R. 7.

KELLEMS—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 10, A. J. R. 15, A. J. R. 16,
- A. J. R. 17.
- Without reference to committee—
- A. C. R. 3, A. C. R. 6.

KILPATRICK—

- Elections and Reapportionment—3, 8.
- Rules and House Functions—
- A. C. A. 3.
- A. C. R. 11.
- A. J. R. 17.

KING—

- Elections and Reapportionment—3.
- Revenue and Taxation—6.
- A. C. A. 1.
- Rules and House Functions—
- A. C. R. 11.
- A. J. R. 7, A. J. R. 15.

KNIGHT, JOHN B.—

- Rules and House Functions—
- A. J. R. 17.

KNIGHT, T. FENTON—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. C. R. 12.
- A. J. R. 12, A. J. R. 13.
- Without reference to committee—
- A. C. R. 6.

KRAFT—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.
- Without reference to committee—
- A. C. A. 2.

LEONARD—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.

LOWREY—

- Elections and Reapportionment—3, 5.
- Rules and House Functions—
- A. J. R. 4, A. J. R. 5, A. J. R. 10,
- A. J. R. 17.

LYON—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 1, A. J. R. 3.
- Without reference to committee—
- A. C. R. 1, A. C. R. 6, A. C. R. 7,
- A. C. R. 8.

LYONS—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.

MALONEY—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. C. R. 10.
- A. J. R. 3, A. J. R. 17.
- Without reference to committee—
- A. C. R. 6, A. C. R. 9.

MASSION—

- Elections and Reapportionment—3, 5.
- Rules and House Functions—
- A. C. A. 3.
- A. J. R. 17.

MCCOLLISTER—

- Elections and Reapportionment—3.
- Penal System Reform—2.
- Rules and House Functions—
- A. C. R. 10.

MCMILLAN—

- Elections and Reapportionment—3, 5.
- Rules and House Functions—
- A. C. A. 3.
- A. J. R. 17.

MIDDODUGH—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.

MILLER—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 8.

NIEHOUSE—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 16, A. J. R. 17.
- Without reference to committee—
- A. C. R. 6.

O'DAY—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.
- Without reference to committee—
- A. C. R. 9.

PELLETIER—

- Elections and Reapportionment—3.
- Rules and House Functions—
- A. J. R. 17.

POTTER—

** Appointed District Attorney of Los Angeles, February 2, 1943.

RECAPITULATION OF ASSEMBLY MEASURES, THEIR AUTHORS AND COMMITTEES TO WHICH REFERRED—Continued

PRICE—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. J. R. 17.
 Without reference to committee—
 A. C. A. 2.

ROBERTSON—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. C. A. 3.
 A. J. R. 17.
 Without reference to committee—
 A. C. R. 6.

ROSENTHAL—

Elections and Reapportionment—3. S.
 Rules and House Functions—
 A. C. A. 3.
 A. J. R. 9, A. J. R. 17.

SARGENT—

SAWALLISCH—

Rules and House Functions—
 A. C. R. 10.
 A. J. R. 17.
 Without reference to committee—
 A. J. R. 11.

SHERIDAN—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. C. R. 10.
 A. J. R. 17.
 Without reference to committee—
 A. C. A. 2.
 A. C. R. 7.

SMITH—

STREAM—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. J. R. 17.

THOMAS—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. J. R. 17.
 Without reference to committee—
 A. C. R. 8.

THOMPSON—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. C. R. 12.
 A. J. R. 8, A. J. R. 12, A. J. R. 13.
 A. J. R. 15, A. J. R. 17.

THORP—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. J. R. 15, A. J. R. 17.

THURMAN—

Revenue and Taxation—
 A. C. A. 1.

WATERS—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. J. R. 17.

WATSON—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. J. R. 15, A. J. R. 17.

WEBER—

Elections and Reapportionment—3.
 Rules and House Functions—
 A. C. R. 12.
 A. J. R. 12, A. J. R. 13, A. J. R. 17.

WERDEL—

Elections and Reapportionment—3.

WEYBRET—

Elections and Reapportionment—3.
 Without reference to committee—
 A. C. R. 2.

WOLLENBERG—

Elections and Reapportionment—3.
 Penal System Reform—1.
 Revenue and Taxation—
 A. C. A. 1.
 Rules and House Functions—
 A. C. R. 10.
 A. J. R. 17.
 Without reference to committee—
 A. C. R. 9.

ASSEMBLY MEASURES DIED ON FILE IN ASSEMBLY

A. C. R. 4.

Total ----- 1

ASSEMBLY MEASURES STRICKEN FROM FILE IN SENATE

A. C. A. 2.
 A. C. R. 7.
 A. J. R. 6.

Total ----- 3

**ASSEMBLY BILLS APPROVED BY THE GOVERNOR,
CHAPTERED, AND FILED WITH THE
SECRETARY OF STATE**

Number	Chapter	Author	Subject of Title	Approved by Governor
3	1	Carlson, et al.	Elections and Soldier vote	Feb. 2
6	5	Bashore, et al.	Taxation of Federal-owned property in California	Feb. 8
7	4	Collins, Sam L.	Expenses of Members of the Assembly	Feb. 4

**ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED AND
FILED WITH THE SECRETARY OF STATE**

Number	Resolution Chapter	Author	Subject of Title	Date Filed with Secretary of State
1	1	Lyon and Doyle	Relative to death of H. S. G. McCartney	Feb. 1
2	2	Weybret	Approving charter amendment, City of Monterey	Feb. 1
3	3	Kellems	Approving charter amendment, City of Santa Monica	Feb. 1
6	4	Dilworth, et al.	Relative to death of Eleanor Miller	Feb. 1
8	5	Lyon and Thomas	Relative to death of Henry E. Carter	Feb. 1
9	9	O'Day, et al.	Approving charter amendment, City and County of San Francisco	Feb. 1
10	21	Call, et al.	Relative to pay scales of State employees	Feb. 2
12	22	Johnson, et al.	Encouraging industry to build the West and its Empire	Feb. 2

ASSEMBLY JOINT RESOLUTIONS CHAPTERED AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	10	Lyon and Bashore.....	Memorializing Congress to simplify income tax returns.....	Feb. 1
2	23	Bashore.....	Memorializing Congress to provide monthly payments upon honorable discharge from armed forces.....	Feb. 2
5	24	Lowrey and Anderson.....	Memorializing Congress to provide for disposal of military equipment to veterans, cities and counties, and State Departments of Education after war is over.....	Feb. 2
7	11	Bashore, et al.....	Memorializing Congress to permit taxation of property belonging to the Federal Government by States and political subdivisions.....	Feb. 1
11	12	Sawallisch and Huggerty.....	Relative to the President's birthday and the March of Dimes.....	Feb. 1
12	13	Johnson, et al.....	Urging Congress to place definite time limits on various wartime controls, and urging Federal Government to conduct war operations in Pacific to avoid undue hardship on Pacific Coast Industries.....	Feb. 1
13	14	Johnson, et al.....	Memorializing Congress relative to termination of war contracts.....	Feb. 1
14	25	Allen.....	Memorializing the President, Secretary of War, Secretary of the Navy, and Office of War Information relative to prompt release of war news.....	Feb. 2
15	26	Erwin, et al.....	Memorializing Congress to end general uncertainty under which producers of agricultural commodities are now laboring.....	Feb. 2
16	27	Dilworth, et al.....	Urging military authorities to retain disabled veterans in Army hospitals until facilities are available in Veterans Administration hospitals.....	Feb. 2
17	28	Gaffney, et al.....	Memorializing President to bring about abrogation of Chamberlain White Paper concerning Palestine.....	Feb. 2

HISTORY OF ACTIONS

Assembly Bills

- 1—Fourt, Carlson, Field, Collins, Sam L., Gannon, Clarke, Wollenberg, Evans, Brady, and Doyle, Jan. 27. To Com. on Penal System Reform.

An act providing for the reorganization of the State Criminal, Penal and Correctional System, and for the government, administration, operation and enforcement thereof; exercising the powers of the Legislature under Section 7 of Article X of the Constitution; transferring the powers and duties of the State Board of Prison Directors and the wardens, abolishing and transferring the powers and duties of the Department of Penology, the Board of Prison Terms and Paroles, the Advisory Pardon Board and the California Crime Commission; establishing and organizing a Department of Corrections and a Department of Justice and prescribing their powers, duties, jurisdictions, purposes and functions and those of the authorities, boards, commissions, officers, agencies and divisions composing them; reorganizing the State Bureau of Criminal Identification and Investigation; placing the licensing of private detectives in the Department of Professional and Vocational Standards; integrating the Youth Authority and the Board of Trustees of the California Institution for Women with the Department of Corrections and redefining their powers, duties, terms, functions, and jurisdictions; and providing for the transfer of funds, property and records; by adding Title 7 to Part 3, Article 1.5 to Chapter 7 of Title 1 of Part 3, Article 1 to Chapter 8 of Title 1 of Part 3, Sections 1999, 2040, 2070, 2399, 2520, 2539, 2599, 2679, 2699, 2869, 3299, 3320, 3599, 4700.1 and 4810 to, amending Sections 2078, 2079, 2081, 2086, 2401, 2651, 2690, 3053, 3300, 3301, and 3325 of, and repealing Article 4 of Chapter 2 of Title 1 of Part 3, Article 1 of Chapter 8 of Title 1 of Part 3, Sections 2009, 2023, 2033, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2048, 2049, 2054, 2070, 2071, 2072, 2073, 2074, 2075, 2077, 2080, 2088, 2089, 2092, 2520, 3306, 3320, 4808, 4809, 4810, 4811, and 4812.5 of, the Penal Code; amending Section 7501 of and adding Section 7503 to, the Business and Professions Code; amending Sections 11100 and 11101 of the Health and Safety Code; repealing and adding Article IIM of Chapter 3 of Title 1 of Part 3 of the Political Code; amending Sections 1720, 1730, 1731, 1731.5, 1732, 1732.4, 1732.7, and 1735 of the Welfare and Institutions Code; adding Section 1.5 to Chapter 723 of the Statutes of 1917, at page 1391; and repealing Chapter 544 of the Statutes of 1929, at page 949.

Jan. 27—Read first time. To print.

Jan. 28—From printer. To committee.

Jan. 29—From committee without recommendation. Read second time. Senate Bill No. 1 substituted.

- 2—McCollister, Desmond, and Gannon, Jan. 27. To Com. on Penal System Reform.

An act to include in the State Civil Service certain persons appointed or employed by or under the State Board of Prison Directors or any warden of a State prison and to provide disciplinary procedures governing such employees.

Jan. 27—Read first time. To print. From printer. To committee.

Jan. 31—From committee without further action.

3—Carlson, Allen, Anderson, Armstrong, Bashore, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Burns, Call, Carey, Clarke, Collins, George D., Collins, Sam L., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dills, Ralph C., Dilworth, Doyle, Dunn, Erwin, Evans, Field, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Hastain, Hawkins, Heisinger, Hollibaugh, Johnson, Kellems, Kilpatrick, King, Knight, T. Fenton, Kraft, Leonard, Lowrey, Lyons, Maloney, Massion, McCollister, McMillan, Middough, Miller, O'Day, Pelletier, Price, Robertson, Rosenthal, Sheridan, Stream, Thomas, Thompson, Thorp, Waters, Watson, Weber, Werdel, Weybret, Wollenberg, Lyon, and Mrs. Niehouse, Jan. 27. To Com. on Elec. & Reap.

An act to add Sections 265.5, 48, 49, 50, 51, 132.5, 132.6, 951.5, 2050.5, 2053.5, 2792.5, 2799.5, 2807.5, 2839.5, 2842.5, 2843.5, 2892.5, 5901.6, 5901.7, 5902.6, 5904.5, and 7964.5 to, and to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Jan. 27—Read first time. To print. From printer. To committee.

Jan. 30—From committee: Do pass, as amended. Read second time, amended, to printer. From printer. To engrossment. Reported correctly engrossed. Art. IV, Sec. 15 of Constitution suspended. Urgency clause adopted. Read third time, passed, title approved. To Senate.

Jan. 31—In Senate. Read first time. To Com. on Elections. From committee: Do pass, as amended. Art. IV, Sec. 15 of Constitution suspended. Read second time. Urgency clause adopted. Read third time, passed, title approved. To Assembly.

Jan. 31—In Assembly. Senate amendments concurred in. To enrollment. Reported correctly enrolled. To Governor at 4:29 p.m.

Feb. 2—Approved by Governor. Chapter 1.

4—Allen, Jan. 29. To Com. on Elec. & Reap.

An act to amend Sections 2101, 2103, 2104, 2105, 2106, 2110, 2150, 2153, 2156, 2200, 2201, 2205, 2206, 2250, 2251, 2253, 2304, 2350, 2353, 2400, 2401, 2810, 3004, 3800, 3804, 3829, 3871, and 3879 of the Elections Code, to repeal Sections 3709.5, 3805, 3830, 3873, 3878, and 3880 thereof, and to add Sections 2109, 2151, 2154, 2202, 2257, 2302, 2303, 3805, 3830, 3873, 3874, 3875, 3876, 3877, 3878, and 3880 to, the Elections Code, relating to the election of delegates to party National convention and electors of President and Vice President.

Jan. 29—Read first time. To print. From printer. To committee.

Jan. 31—From committee without further action.

5—Gaffney, Lowrey, Berry, Armstrong, Gannon, Guthrie, Allen, Clarke, McMillan, Massion, Dunn, and Denny, Jan. 29. To Com. on Elec. and Reap.

An act to amend Sections 293.5, 296.5, 5901.5, and 5931.5 of, to add Sections 26.5, 48, 49, 50, 51, 132.5, 132.6, 2050.5, 2053.5, 2101.5, 2156.5, 2300.5, 2350.5, 2400.5, 2571.5, 2573.5, 2576.5, 2600.5, 2609.5, 2621.5, 2699.5, 2751.5, 2792.5, 2807.5, 2839.5, 2842.5, 2892.5, 2893.5, 2896.5, 2897.5, 2898.5, 3043.5, 3084.5, 3150.5, 3711.5, 4532.5, 5901.1, 5901.6, 5901.7, 5902.6, 5904.5, 5932.5, 7801.5, 7964.5, 7971.5, and 7972.5 to, and to repeal Section 132.5 of, the Elections Code, relating to elections, declaring the urgency of this act, to take effect immediately.

Jan. 29—Read first time. To print. From printer. To committee.

Jan. 31—From committee without further action.

6—Bashore, Haggerty, and King, Jan. 29. To Com. on Rev. & Tax.

An act to amend Sections 202 and 4986 of the Revenue and Taxation Code, relating to taxation.

Jan. 29—Read first time. To print. From printer. To committee. Withdrawn from committee. Art. IV, Sec. 15 of Constitution suspended. Read second time. Read third time, passed, title approved. To Senate.

Jan. 30—In Senate. Read first time. To Com. on Rev. & Tax. From committee: Do pass, as amended. Art. IV, Sec. 15 of Constitution suspended. Read second time, amended, to printer.

Jan. 31—From printer. Read third time, passed, title approved. To Assembly.

Jan. 31—In Assembly. Senate amendments concurred in. To enrollment. Reported correctly enrolled. To Governor at 4:29 p.m.

7—Sam L. Collins, Jan. 29. Without reference to committee.

An act making an appropriation for expenses of Members of the Assembly pursuant to Section 352 of the Political Code.

Jan. 30—Read first time. Considered without reference to committee or file. Art. IV, Sec. 15 of Constitution suspended. Read second time. Urgency clause adopted. Read third time, passed, title approved. To Senate.

Jan. 30. In Senate. Read first time. Considered without reference to committee or file. Art. IV, Sec. 15 of Constitution suspended. Read second time. Urgency clause adopted. Read third time, passed, title approved. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 m.

8—Rosenthal and Kilpatrick, Jan. 29. To Com. on Elec. & Reap.

An act calling a special election for the same day on which the Presidential primary election is held in the year 1944, to submit to the electors of California an amendment to the Constitution of the State relating to voting qualifications, proposed by the Legislature.

Jan. 29—Read first time. To print.

Jan. 30—From printer. To committee.

Jan. 31—From Committee without further action.

Assembly Concurrent Resolutions

A.C.R. 1—Lyon and Doyle, Jan. 27. Without reference to committee.
Relative to the death of H. S. G. McCartney.

Jan. 27—Introduced. To print. From printer.

Jan. 28—Considered without reference to committee or file. Considered engrossed.
Read and adopted. To Senate.

Jan. 29—In Senate. Considered without reference to committee or file. Read
and adopted. To Assembly.

Jan. 29—In Assembly. To enrollment.

Jan. 30—Reported correctly enrolled. To Governor at 11:30 a.m.

Feb. 1—Filed with Secretary of State. Res. Chapter 1.

A.C.R. 2—Weybret, Jan. 27. Without reference to committee.

Relative to approving certain amendments to the charter of the City of Monterey,
a municipal corporation in the County of Monterey, State of California, voted
for and ratified by the qualified electors of said city at a general municipal elec-
tion held therein on the tenth day of May, 1943.

Jan. 27—Introduced. To print. From printer.

Jan. 28—Considered without reference to committee or file. Considered engrossed.
Read and adopted. To Senate.

Jan. 29—In Senate. Considered without reference to committee or file. Read
and adopted. To Assembly.

Jan. 29—In Assembly. To enrollment.

Jan. 30—Reported correctly enrolled. To Governor at 11:30 a.m.

Feb. 1—Filed with Secretary of State. Res. Chapter 2.

A.C.R. 3—Kellems, Jan. 27. Without reference to committee.

Relative to approving amendments to the charter of the City of Santa Monica,
State of California, ratified by the qualified electors of said city at a general
municipal election held therein on the seventh day of December, 1943.

Jan. 27—Introduced. To print. From printer.

Jan. 28—Considered without reference to committee or file. Considered engrossed.
Read and adopted. To Senate.

Jan. 29—In Senate. Considered without reference to committee or file. Read
and adopted. To Assembly.

Jan. 29—In Assembly. To enrollment.

Jan. 30—Reported correctly enrolled. To Governor at 11:30 a.m.

Feb. 1—Filed with Secretary of State. Res. Chapter 3.

A.C.R. 4—Desmond and Gannon, Jan. 27. Without reference to com-
mittee.

Relative to Standard Time.

Jan. 27—Introduced. To print. From printer. Held on file. Died on file.

A.C.R. 5—Heisinger, Jan. 27. To Com. on Agr.

Relative to the calling of an extraordinary session to run concurrently with the
Third Extraordinary Session to make an additional appropriation to carry out
the operation of the California Food and Fiber Production Act.

Jan. 27—Introduced. To print.

Jan. 28—From printer. To committee.

Jan. 31—From committee without further action.

A.C.R. 6—Dilworth, Knight, T. Fenton; Kellems, Maloney, Crowley,
Robertson, Field, Evans, Lyon, and Mrs. Niehouse, Jan. 27. With-
out reference to committee.

Relative to Miss Eleanor Miller.

Jan. 27—Introduced. Considered without reference to committee, print, or file.
Considered engrossed. Read and adopted. To print and to Senate.

Jan. 28—In Senate. Considered without reference to committee or file. Read
and adopted. To Assembly.

Jan. 28—In Assembly. To enrollment.

Jan. 30—Reported correctly enrolled. To Governor at 11:30 a.m.

Feb. 1—Filed with Secretary of State. Res. Chapter 4.

A.C.R. 7—Lyon, Dunn, Sheridan, Carlson, Carey, and Johnson, Jan. 27.
Without reference to committee.

Relative to the death of former Governor Friend W. Richardson.

Jan. 27—Introduced. Considered without reference to committee, print, or file.

Considered engrossed. Read and adopted. To print and to Senate.

Jan. 28—In Senate. Held at desk.

Jan. 31—Stricken from file in the Senate.

A.C.R. 8—Lyon and Thomas, Jan. 28. Without reference to committee.

Relative to Henry E. Carter.

Jan. 28—Introduced. Considered without reference to committee, print, or file.

Considered engrossed. Read and adopted. To print and to Senate.

Jan. 29—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 29—In Assembly. To enrollment.

Jan. 30—Reported correctly enrolled. To Governor at 11:30 a.m.

Feb. 1—Filed with Secretary of State. Res. Chapter 5.

A.C.R. 9—O'Day, Maloney, Berry, Gaffney, Haggerty, Brady, Wollenberg, and Collins, George D., Jan. 29. Without reference to committee.

Approving amendment to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at an election held therein on the second day of November, 1943.

Jan. 29—Introduced. To print. From printer. Considered without reference to committee or file. Considered engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. Ordered on file without reference to committee. Read and adopted. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 p.m.

Feb. 1—Filed with Secretary of State. Res. Chapter 9.

A.C.R. 10—Call, McCollister, Maloney, Sawallisch, Sheridan, Fourn, Dickey, Wollenberg, and Carey, Jan. 29. To Com. on R. & H. F.

Relative to pay scales of State Employees.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. To Com. on Gov. Eff.

Jan. 31—From committee. Be adopted. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4:29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 21.

A.C.R. 11—Burkhalter, Brown, Crowley, King, Dunn, and Kilpatrick, Jan. 29. To Com. on R. & H. F.

Relative to creating a Joint Committee to investigate all matters relating to voting members of the armed forces of the United States.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

A.C.R. 12—Johnson, Knight, T. Fenton; Guthrie, Weber, and Thompson, Jan. 30. To Com. on R. & H. F.

Relative to encouraging industry to mobilize its resources and capacities to build the West and its empire.

Jan. 30—Introduced. To print. From printer. To committee.

Jan. 31—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 31—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4:29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 22.

Assembly Constitutional Amendments

A.C.A. 1—Bashore, Haggerty, King, Clarke, Burns, Desmond, Wollenberg, and Thurman, Jan. 29. To Com. on Rev. & Tax.

Proposed amendment to Section 1 of Article XIII of the Constitution, relative to revenue and taxation.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

A.C.A. 2—Johnson, Dickey, Sheridan, Kraft, Price, and Hollibaugh, Jan. 29. Without reference to committee.

Proposed amendment to Section 7 of Article X of the Constitution, relative to the power of the Legislature over the Criminal, Penal, and Correctional System of the State.

Jan. 29—Introduced. To print. From printer.

Jan. 30—Considered without reference to committee or file. Considered engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. To Com. on Gov. Eff.

Jan. 31—From committee without recommendation, as amended. Read and amended. To printer. From printer. Stricken from file in the Senate.

A.C.A. 3—Rosenthal, Kilpatrick, Anderson, McMillan, Debs, Bennett, Massion, Dills, Ralph C., Hawkins, Robertson, and Crowley, Jan. 29. To Com. on R. & H. F.

Proposed amendment to Article II, Section 1 of the Constitution, relative to voting qualifications. Permitting any person 18 years of age or older the right to vote, where said person is in the armed service.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

Assembly Joint Resolutions

A.J.R. 1—Lyon and Bashore, Jan. 27. To Com. on R. & H. F.

Relative to memorializing Congress to simplify the income tax returns.

Jan. 27—Introduced. To print.

Jan. 28—From printer. To committee. From committee: Be adopted. To engrossment. Reported correctly engrossed.

Jan. 29—Read and adopted. To Senate.

Jan. 30—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 m.

Feb. 1—Filed with Secretary of State. Res. Chapter 10.

A.J.R. 2—Bashore, Jan. 28. To Com. on R. & H. F.

Relative to memorializing Congress to enact legislation providing for monthly payments upon honorable discharge for persons now in the armed forces of the United States.

Jan. 28—Introduced. To print. From printer. To committee.

Jan. 29—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. To Com. on Mil. & Vet. Aff.

Jan. 31—From committee: Be adopted, as amended. Amended and to printer. From printer. Read and adopted. To Assembly.

Jan. 31—In Assembly. Senate amendments concurred in. To enrollment. Reported correctly enrolled. To Governor at 4.29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 23.

A.J.R. 3—Lyon, Bashore, Maloney, Field, and Allen, Jan. 28. To Com. on R. & H. F.

Relative to memorializing Congress for legislation regulating the casting and counting of the Service Man's ballot.

Jan. 28—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

A.J.R. 4—Lowrey, Jan. 28. To Com. on R. & H. F.

Relative to memorializing the President and Congress of the United States to transfer control of the WRA and to abolish the Tule Lake Concentration Center.

Jan. 28—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

A.J.R. 5—Lowrey and Anderson, Jan. 28. To Com. on R. & H. F.

Relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipment suitable for civilian use to United States' veterans of the present conflict at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary.

Jan. 28—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted, as amended. Amended and to printer. From printer. To engrossment. Reported correctly engrossed.

Jan. 31—Read and adopted. To Senate.

Jan. 31—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4.29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 24.

A.J.R. 6—Desmond and Gannon, Jan. 28. To Com. on R. & H. F.

Relative to Standard Time.

Jan. 28—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment.

Jan. 31—Reported correctly engrossed. Read and adopted. To Senate.

Jan. 31—In Senate. Held on file without reference to committee.

Jan. 31—Stricken from file in the Senate.

A.J.R. 7—Bashore, Desmond, Burns, Clarke, King, Crowley, and Haggerty, Jan. 28. To Com. on R. & H. F.

Relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions.

Jan. 28—Introduced. To print. From Printer. To committee.

Jan. 29—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. To Com. on Rev. & Tax. From committee: Be adopted. Read and adopted. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 m.

Feb. 1—Filed with Secretary of State. Res. Chapter 11.

A.J.R. 8—Miller and Thompson, Jan. 29. To Com. on R. & H. F.

Relative to commending the patriotic efforts of the United States Treasury Department, Defense Savings staff and those of the volunteer workers in cooperation therewith in the Fourth War Loan Drive and to urge generous public support thereof.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

A.J.R. 9—Rosenthal, Jan. 29. To Com. on R. & H. F.

Relative to memorializing Congress to pass the Green-Lucas Bill, providing for a uniform and efficient procedure for absentee voting by Service Men.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 31—From committee without further action.

A.J.R. 10—Dickey, Kellems, Dilworth, and Lowrey, Jan. 29. To Com. on R. & H. F.

Relative to memorializing the President and the Congress of the United States with reference to Japanese internees.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. To Com. on Mil. & Vet. Af.

Jan. 31—From Senate committee without further action.

A.J.R. 11—Sawallisch and Haggerty, Jan. 29. Without reference to committee.

Relative to the President's birthday and the March of Dimes.

Jan. 29—Introduced. Considered without reference to committee, print, or file. Considered engrossed. Read and adopted. To print and to Senate.

Jan. 30—In Senate: Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 m.

Feb. 1—Filed with Secretary of State. Res. Chapter 12.

A.J.R. 12—Johnson, Knight, T. Fenton; Weber, Thompson, and Guthrie, Jan. 29. To Com. on R. & H. F.

Relative to the prevention of undue hardship on California industries.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 m.

Feb. 1—Filed with Secretary of State. Res. Chapter 13.

A.J.R. 13—Johnson, Knight, T. Fenton; Weber, Thompson, and Guthrie, Jan. 29. To Com. on R. & H. F.

Relative to termination of war contracts.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 30—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 30—In Assembly. To enrollment.

Jan. 31—Reported correctly enrolled. To Governor at 12 m.

Feb. 1—Filed with Secretary of State. Res. Chapter 14.

A.J.R. 14—Allen, Jan. 29. To Com. on R. & H. F.

Memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted, as amended. Amended and to printer. From printer. To engrossment.

Jan. 31—Reported correctly engrossed. Read and adopted. To Senate.

Jan. 31—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4.29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 25.

A.J.R. 15—Erwin, Kellems, Armstrong, Hastain, Thorp, Denny, Watson, Clarke, Guthrie, King, and Thompson, Jan. 29. To Com. on R. & H. F.

Relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment. Reported correctly engrossed.

Jan. 31—Read and adopted. To Senate.

Jan. 31—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4.29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 26.

A.J.R. 16—Dilworth, Kellems, and Mrs. Niehouse, Jan. 29. To Com. on R. & H. F.

Relative to the hospitalization of veterans.

Jan. 29—Introduced. To print. From printer. To committee.

Jan. 30—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 31—In Senate. To Com. on Mil. & Vet. Af. From committee: Be adopted. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4.29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 27.

A.J.R. 17—Gaffney, Rosenthal, McMillan, Lowrey, Maloney, Call, Collins, George D.; Anderson, Berry, Kellems, Haggerty, Heisinger, Dunn, Leonard, Brown, Sheridan, Carey, Guthrie, Beck, Carlson, Lyons, Hawkins, Knight, John B., Thomas, Brady, Robertson, Doyle, Kilpatrick, Allen, Evans, Middough, Price, Massion, Armstrong, Hoilibaugh, Erwin, Debs, Crichton, Crowley, Dills, Clayton A., Dills, Ralph C., Bennett, Fourn, Bashore, Wollenberg, Watson, Hastain, Waters, Sawallisch, Denny, Kraft, Stream, Johnson, Thorp, Clarke, Weber, Thompson, O'Day, Pelletier, and Mrs. Niehouse, Jan. 30. To Com. on R. & H. F.

Relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine.

Jan. 30—Introduced. To print. From printer. To committee.

Jan. 31—From committee: Be adopted. To engrossment. Reported correctly engrossed. Read and adopted. To Senate.

Jan. 31—In Senate. Considered without reference to committee or file. Read and adopted. To Assembly.

Jan. 31—In Assembly. To enrollment. Reported correctly enrolled. To Governor at 4.29 p.m.

Feb. 2—Filed with Secretary of State. Res. Chapter 28.

House Resolutions

- 1—Collins, Sam L. Election of Officers of the Assembly.
January 27, introduced and adopted, page 3.
- 2—Stream. Inform Senate of Assembly organization.
January 27, introduced, adopted, and committee appointed, page 4.
- 3—Bashore. Inform Governor of Assembly organization.
January 27, introduced, adopted, and committee appointed, page 4.
- 4—Collins, Sam L. Adopts Standing Rules.
January 27, introduced and adopted, pages 4, 5.
- 5—Crowley. Mileage for members.
January 27, introduced and adopted, pages 5, 6.
- 6—Field. Accredited representatives of the press.
January 27, introduced and adopted, page 6.
- 7—Evans. Authorizes purchase of supplies.
January 27, introduced and adopted, page 7.
- 8—Collins, Sam L. Authorizes payment of contingent expenses, Chief Clerk's Office.
January 27, introduced and adopted, page 7.
- 9—Knight, T. Fenton. Authorizes payment of bills.
January 27, introduced and adopted, page 8.
- 10—Burkhalter, Lyon, Maloney, and Stream. Commending Members of Assembly in armed forces.
January 27, introduced and adopted, page 8.
- 11—Collins, Sam L., and Doyle. Relative to photographs of former Speakers of the Assembly.
January 27, introduced and adopted, pages 8, 9; committee appointed, page 54.
- 12—Collins, Sam L. Creating Special Committee on Penal System Reform.
January 27, introduced and adopted, pages 25, 26.
- 13—Bashore, Lyon, Collins, Sam L., Maloney, Crowley, Robertson, Burns, O'Day, Desmond, Hawkins, Heisinger, Stream, and Thorp. Congratulations to Bernice and Arthur A. Ohnimus.
January 27, introduced and adopted, page 26.
- 14—Fourt and Waters. Condolences on death of Hon. Robert M. Clarke.
January 27, introduced and adopted, pages 30, 31.
- 15—Lyon and Thomas. Condolences on death of Frank McGinley.
January 27, introduced and adopted, page 31.
- 16—Heisinger. Memorializing Congress to permit voters in armed forces to exercise suffrage rights.
January 27, introduced. Referred to Com. on R. & H. F., page 32.
January 31, from committee without further action, page 162.
- 17—Collins, Sam L. Appointment of attaches.
January 28, introduced and adopted, pages 39, 40.
- 18—Lyon and Kellems. Condolences on death of former Assemblyman Arthur A. Weber.
January 28, introduced and adopted, page 40.
- 19—Crichton and Heisinger. Condolences on death of the mother of Hugh M. Burns.
January 28, introduced and adopted, page 40.
- 20—Kilpatrick, Burkhalter, Middough, and Kellems. Relative to enforcement of Housing Laws.
January 28, introduced. Referred to Com. on R. & H. F., page 41.
January 30, withdrawn from committee. Re-referred to Com. on G. E. & E., page 100.
January 31, from committee without further action, page 162.

HOUSE RESOLUTIONS—Continued

- 21—Kilpatrick, Burkhalter, Hawkins, Middough, and Kellems. Relative to boarding and rooming of aged persons.
January 28, introduced. Referred to Com. on R. & H. F., page 41.
January 30, withdrawn from committee. Re-referred to Com. on G. E. & E., page 101.
January 31, from committee without further action, page 162.
- 22—Werdel, Heisinger, Guthrie, and Crichton. Condolences on death of Thomas A. Baker.
January 28, introduced and adopted, page 41.
- 23—Hawkins, McMillan, Debs, Dills, Clayton A., and Dills, Ralph C. Requesting extraordinary session on Child Care Program.
January 28, introduced. Referred to Com. on R. & H. F., page 44.
January 31, from committee without further action, page 162.
- 24—Hawkins, Collins, George D. Berry, Dills, Ralph C., Debs, Dunn, Dills, Clayton A., and Evans. Memorializing Congress to provide simplified ballot for distribution to members of armed forces and Merchant Marine.
January 28, introduced. Referred to Com. on R. & H. F., page 52.
January 31, from committee without further action, page 162.
- 25—Waters, Werdel, Johnson, Dickey, Robertson, King, Doyle, and Kellems. Authorizes purchase of codes.
January 28, introduced. Referred to Com. on R. & H. F., page 52.
January 30, from committee: Substitute resolution be adopted, page 91; substitute resolution read and adopted, page 97.
- 26—Maloney, Dunn, Carlson, Dickey, Carey, Johnson, and Lyon. Condolences on death of Mrs. Bridget Sheridan.
January 28, introduced and adopted, page 54.
- 27—Collins, Sam L. Authorizes purchase of postage stamps.
January 28, introduced and adopted, page 55.
- 28—Collins, Sam L. Mileage for John B. Knight.
January 29, introduced and adopted, page 61.
- 29—Thompson, Miller, and Maloney. Condolences on death of Alvin W. Miller.
January 29, introduced and adopted, page 61.
- 30—Weybret, Bashore, Clarke, Collins, Sam L., Lyons, Leonard, Guthrie, Hastain, and Robertson. Appreciation and good will to Republic of Mexico and her agricultural workers.
January 29, introduced and adopted, pages 61, 62.
- 31—Doyle. Commending the railroads and their personnel.
January 29, introduced. Referred to Com. on R. & H. F., page 62. From committee: Be adopted, page 80. Read and adopted, page 82.
- 32—Kraft. Condolences on death of George B. Bowers.
January 29, introduced and adopted, pages 62, 63.
- 33—Desmond and Collins, Sam L. Condolences on death of Mrs. Mary Lyons.
January 29, introduced and adopted, page 63.
- 34—Allen. Memorializing Congress to submit to the States a Constitutional amendment providing for the direct election of the President and Vice President.
January 29, introduced. Referred to Com. on R. & H. F., pages 63, 64.
January 31, from committee without further action, page 162.
- 35—Gaffney, Berry, Collins, George D., Gannon, King, Denny, Carlson, Lowrey, Hawkins, Anderson, and Thomas. Memorializing Congress to enact a Federal Absentee Voters Law.
January 29, introduced. Referred to Com. on R. & H. F., pages 65, 66.
January 31, from committee without further action, page 162.
- 36—Maloney, Gannon, Lowrey, Erwin, Wollenberg, Gaffney, Haggerty, Collins, George D., Berry, Hollibaugh, O'Day, Kellems, Sawallich, Heisinger, Miller, Thompson, Stream, Doyle, Carey, Leonard, Sheridan, Kraft, King, Kilpatrick, Lyons, Rosenthal, Clarke, Werdel, Weybret, Burkhalter, Bennett, Debs, Armstrong, Price, and Mrs. Neihouse. Urging purchase of war bonds.
January 29, introduced and adopted, pages 66, 67.

HOUSE RESOLUTIONS—Continued

- 37—Bashore. Authorizes purchase of loud speakers for Assembly Chamber.
January 29, introduced. Referred to Com. on R. & H. F., page 79.
January 30, from committee. Be adopted, page 91. Read and adopted, pages 91, 92.
- 38—Kilpatrick, Heisinger, Pelletier, Anderson, Massion, Bennett, Robertson, Gaffney, Brown, Debs, King, McMillan, Burkhalter, Haggerty, Crichton, Dills, Clayton A., Dills, Ralph C., and Hawkins. Requesting Governor to include subject of sufficient assistance to county relief clients in call for any later special session.
January 30, introduced. Referred to Com. on R. & H. F., page 96.
January 31, from committee without further action, page 162.
- 39—Kilpatrick, Thomas, Allen, Burkhalter, Johnson, Gannon, Debs, Waters, Dills, Clayton A., Heisinger, Middough, and Maloney. Directs Interim Committee on Governmental Efficiency and Economy to investigate conditions under which public State archives are kept, and requesting Governor to include subject of adequate protection for archives in call for future special session.
January 30, introduced. Referred to Com. on R. & H. F., pages 96, 97.
January 31, from committee: Be adopted, page 124. Read and adopted, pages 126, 127.
- 40—Hollibaugh and Kraft. Directs Interim Committee on Governmental Efficiency and Economy to investigate sale of liquor.
January 30, introduced. Referred to Com. on R. & H. F., page 108.
January 31, from committee without further action, page 162.
- 41—Rosenthal. Commending the Boy Scouts of America.
January 30, introduced and adopted, pages 108, 109.
- 42—Heisinger, Dills, Ralph C., and Guthrie. Congratulating farmers of California on 1943 record of accomplishments.
January 30, introduced and adopted, page 112.
- 43—Thompson, Miller, Burns, Armstrong, Erwin, Burkhalter, Crowley, Fourt, and Waters. Directing State Personnel Board to study and remedy conditions whereby State employees in various hospitals and institutions fail to receive holidays enjoyed by other State employees.
January 30, introduced and adopted, pages 113, 114.
- 44—Beck, Robertson, and Miller. Appropriation for Elections Code Committee.
January 30, introduced. Referred to Com. on R. & H. F., pages 114, 115.
January 31, from committee: be adopted, page 127. Read and adopted, page 127.
- 45—Bashore. Providing chairmen of Interim Committees shall notify Chief Clerk of dates for public meetings of their committees.
January 30, introduced and adopted, page 115.
- 46—Leonard. Urging citizens of California to support and observe pledge to not deal with black markets.
January 30, introduced. Referred to Com. on R. & H. F., page 115.
January 31, from committee: Be adopted, page 141. Read and adopted, pages 142, 143.
- 47—Collins, Sam L., Lyon, Allen, Anderson, Bashore, Beck, Bennett, Berry, Brady, Burkhalter, Burns, Carey, Carlson, Clarke, Collins, George D., Crichton, Crowley, Debs, Denny, Desmond, Dickey, Dills, Clayton A., Dilworth, Dunn, Erwin, Evans, Fourt, Gaffney, Gannon, Guthrie, Haggerty, Heisinger, Hollibaugh, Johnson, Kellens, Kilpatrick, Knight, T. Fenton: Kraft, Lowrey, Lyons, Maloney, Massion, McMillan, Miller, O'Day, Pelletier, Rosenthal, Sawallisch, Sheridan, Stream, Thomas, Thompson, Thorp, Watson, Werdel, Wollenberg, and Mrs. Niehouse. Memorializing Congress to enact necessary legislation concerning absentee ballots.
January 31, introduced. Referred to Com. on R. & H. F., pages 125, 126.
January 31, from committee: Be adopted, page 127. Read and adopted, page 128.

HOUSE RESOLUTIONS—Continued

- 48 Burkhalter, Watson, Erwin, Gaffney, Brown, and Heisinger. Memorializing Federal Government, through Department of Interior, to extend shooting season for wild fowl in California.
January 31, introduced. Referred to Com. on Fish and Game, pages 131, 132. From committee: Adopt substitute resolution, page 136. Substitute resolution read and adopted, pages 136, 137.
- 49 Collins, Sam L. Authorizes Chief Clerk to pay incidental expenses in connection with completion of work, Third Extraordinary Session.
January 31, introduced and adopted, pages 133, 134.
- 50 Collins, Sam L. Striking attaches and employees from pay roll.
January 31, introduced and adopted, page 134.
- 51 Beck, Kellems, Denny, Brown, Erwin, Dilworth, Thorp, Lowrey, Watson, King, Thompson, Crichton, Guthrie, Clarke, Heisinger, and Desmond. Relative to ceiling price on hay.
January 31, introduced and ordered held at the desk, page 134. Read and adopted, page 136.
- 52—Leonard, Maloney, and Lyon. Condolences on death of Carl C. Baker.
January 31, introduced and adopted, pages 134, 135.
- 53—Kellems, Maloney, Lyons, and Lyon. Condolences on death of Jack Doyle.
January 31, introduced and adopted, page 135.
- 54 Dills, Ralph C., and Rosenthal. Congratulations to Mrs. Esther Bennett upon her birthday.
January 31, introduced and adopted, page 136.
- 55 Maloney and O'Day. Commending Longshoremen's and Warehousemen's Union on the Pacific Coast.
January 31, introduced and adopted, page 137.
- 56—Lyon. Condolences on death of Lieutenant Colonel John Victor Wallen.
January 31, introduced and adopted, pages 137, 138.
- 57 Call, McCollister, and Dills, Ralph C. Memorializing Congress to nullify waivers and to declare illegal any future waivers of compensation by men of the armed forces.
January 31, introduced and adopted, pages 138, 139.
- 58 Johnson, King, Sheridan, Waters, and Diekey. Requesting Interim Committee on Governmental Efficiency and Economy to study procedure of Industrial Accident Commission.
January 31, introduced and adopted, page 139.
- 59 King, Gaffney, Lowrey, Brown, Middough, Sheridan, and Johnson. Relative to increased correctional facilities for juvenile delinquents.
January 31, introduced and adopted, pages 139, 140.
- 60 Rosenthal. Making Assemblymen's wives guests of Assembly.
January 31, introduced and adopted, pages 145, 146.
- 61 Watson and Erwin. Requesting facilities for protection of farmers against destruction of crops by waterfowl.
January 31, introduced and adopted, page 140.
- 62 Middough, Johnson, and Dills, Ralph C. Requesting liberal interpretation of Section 9651 of the Revenue and Taxation Code, and Motor Vehicle Transportation License Tax Law, by Board of Equalization.
January 31, introduced and adopted, page 160.
- 63—Debs. Notify Senate, Assembly ready to adjourn sine die.
January 31, introduced, adopted, and committee appointed, page 160.
- 64—Anderson. Notify Governor, Assembly ready to adjourn sine die.
January 31, introduced, adopted, and committee appointed, pages 160, 161.

INDEX TO ASSEMBLY JOURNAL

FIFTY-FIFTH (THIRD EXTRAORDINARY) SESSION—1944

A

ADJOURNMENT

	PAGE
Respect to memory of—	
Baker, Carl C.-----	163
Baker, Thomas A.-----	56
Bowers, George B.-----	85
Burns, Emma May-----	56
Carter, Henry E.-----	56
Doyle, Jack-----	163
Englebright, Harry Lane-----	119
Lyons, Mary-----	85
McCartney, H. S. G.-----	56
Richardson, Friend Wm.-----	36, 56
Sheridan, Bridget-----	56
Weber, Arthur A.-----	56
sine die-----	163

AGED PERSONS. Resolution requesting relaxation of rules re boarding and rooming of (H. R. 21), introduced, 41; withdrawn, and re-referred, 101; from committee without further action-----	162
--	-----

AGNEWS STATE HOSPITAL, BOARD OF TRUSTEES OF. Governor's appointments to-----	45
--	----

AGRICULTURE, UNITED STATES DEPARTMENT OF. Communication from, re Reg. Sess. H. R. 135 (disposition of Japanese evacuees' farm equipment)-----	16
---	----

ALLEN, DON A.

Demands previous question, amendments to S. B. 1, 79; H. R. 36-----	67
Presents communication from Nordskog, Andrae B., re election—Soldier vote--	30

Resolution by—

absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
archives, re storage of State (H. R. 39)-----	96
Electoral College System, re abolishing (H. R. 34)-----	63
Second motion, appoint Special Committee, attend funeral of Jack Doyle-----	138

AMMUNITION. Resolution requesting supply of, to prevent destruction of crops by waterfowl (H. R. 61), introduced, adopted-----	146
--	-----

ANDERSON, GLENN M.

Appointed member, Select Committee to notify Senate, Assembly ready to adjourn sine die (H. R. 64)-----	161
---	-----

Resolution by—

absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
county relief clients, re including problem in future call (H. R. 38)-----	96
Federal Absentee Voters Law, urging enactment of (H. R. 35)-----	65

ANNOUNCEMENT

Absence of certain members due to committee meeting-----	88
Officers of 55th (Regular) Session present-----	1

ANSPACH, CPL. LESTER R. Extended privilege of floor-----	118
--	-----

ARBOGAST, CPL. JAMES D. Extended privilege of floor-----	118
--	-----

ARCHIVES, CONDITIONS UNDER WHICH KEPT. Resolution directing investigation of, and requesting consideration of, in future call (H. R. 39), introduced, 96; from committee: Be adopted, 124; adopted-----	126
---	-----

ARMED FORCES

Communication re voting by-----	33
---------------------------------	----

Resolutions memorializing Congress—

enact Federal Absentee Voters Law (H. R. 35), introduced, 65; from committee without further action-----	162
permit members of, to vote (H. R. 16), introduced, 32; from committee without further action-----	162
provide for delivery, etc., of ballots to (H. R. 47), introduced, 125; from committee: Be adopted, 127; adopted-----	128
provide simplified ballot for (H. R. 24), introduced, 52; from committee without further action-----	162
re waivers of compensation by (H. R. 57), introduced, adopted-----	138

	PAGE
ARMSTRONG, DOUGLAS P.	
Absent, attend committee meeting	88
Appointed member, Committee to escort Governor to Joint Convention	21
Requests unanimous consent, consider S. J. R. 1	80
Resolution by—	
holidays for employees of State institutions, re (H. R. 43)	113
war bonds, urging purchase of (H. R. 36)	66
Submits Report of Subcommittee on Elections	126
ASSEMBLY	
Adjourns. See ADJOURNMENT.	
And Senate addressed by Governor Warren	21
Appreciation of, extended—	
to certain committees	141
to Messrs. Desch, Lewright, and Rossi	143
Attaches	
appointed (H. R. 17)	39
stricken from roll (H. R. 50)	134
Bills. See TABLE OF ACTIONS ON.	
Concurrent resolutions. See TABLE OF ACTIONS ON.	
Constitutional Amendments. See TABLE OF ACTIONS ON.	
Convenes for 55th (3d Extra.) Session	1
Former Speakers of, place pictures of, in frame (H. R. 10), introduced, adopted,	
8; committee appointed	54
Joint resolutions. See TABLE OF ACTIONS ON.	
Loud speakers, resolution providing for installation of (H. R. 37), introduced,	
79; from committee: Be adopted, adopted	91
Meets with Senate in Joint Convention	20
Members of—	
give pledge of allegiance to Flag	3
mileage for (H. R. 5), introduced, 5; adopted	6
present, for convening of Assembly	1
roll call of, present for convening of session	1
serving in armed forces, commending (H. R. 10), introduced, adopted	8
stationery and supplies for (H. R. 7), introduced, adopted	7
Officers of—	
mileage for (H. R. 5), introduced, 5; adopted	6
named (H. R. 1), introduced, adopted	3
oaths of office of	3
present for convening of session	1
stricken from roll (H. R. 50), introduced, adopted	134
to hear Rayns, Frank, of Norwich, England	9
to meet in Joint Convention	20
Thanks of Judge Pacht to	98
Wives of members made guests of Assembly (H. R. 60), introduced, adopted	145
ASSISTANT CLERK	
Appointed (H. R. 17), introduced, adopted	39
Stricken from roll (H. R. 50), introduced, adopted	134
ATTACHES	
Resolution appointing (H. R. 17), introduced, 39; adopted	40
Resolution striking, from roll (H. R. 50), introduced, adopted	134
ATTORNEY GENERAL'S OPINIONS. Resolution authorizing purchase of	
(H. R. 25) introduced, 52; from committee: Adopt substitute resolution,	
91; substitute resolution adopted	97

B

BAKER, CARL C.	
Adjournment, respect to memory of	163
Resolution of sympathy on passing of (H. R. 52), introduced, adopted	134
BAKER, THOMAS A. Resolution of sympathy on passing of (H. R. 22), intro-	
duced, adopted	41
BALLOTS, ABSENTEE. Resolution memorializing Congress to provide for	
delivery, etc., of, to armed forces (H. R. 47), introduced, 125; from	
committee: Be adopted, 127; adopted	128
BALLOTS FOR ARMED FORCES AND MERCHANT MARINE. Resolution	
memorializing Congress to provide simplified (H. R. 24), introduced,	
52; from committee without further action	162
BANCROFT-WHITNEY COMPANY. Communication from, re price on revised	
editions of codes	12
BAKER, THOMAS A. Adjournment, respect to memory of	56
BASHORE, LEE T.	
Appointed member—	
Select Committee to notify Governor of Assembly organization	4
Special Committee to attend funeral of Miller, Eleanor	12

BASHORE, LEE T.—Continued	PAGE
Communication from Pomona Valley League of Women Voters referred to.....	88
Moves—	
amend S. C. A. 2.....	83
print in Journal, compilation by Board of Equalization.....	93
suspend Rules, withdraw A. B. 6 from committee.....	81
Requests 5,000 copies of chart on Federal real estate in State, be printed.....	114
Requests unanimous consent—	
consider—	
H. R. 13, 26; H. R. 28, 61; H. R. 45, 115; S. B. 7.....	140
withdraw S. C. A. 2 from committee.....	82
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
case of urgency—	
A. B. 6, 81; S. B. 7.....	140
inform Governor of Assembly organization (H. R. 3).....	4
Interim Committees, Chairmen of, to notify Chief Clerk of public meetings	
(H. R. 46).....	115
loud speakers, installation of (H. R. 37).....	79
Mexico and agricultural workers of, commending (H. R. 30).....	61
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13).....	26
BASHORE, MRS. LEE T. Extended privilege of floor.....	35
BASHORE, MRS. LEE T., JR. Extended privilege of floor.....	35
BAUGHMAN, C. C.	
Communication from, re naming frigate—	
“Long Beach”.....	16
“San Pedro”.....	16
BECK, JULIAN	
Presents communication from Legislative Council, opinion re additional appro-	
priation to Elections Code Committee.....	128
Requests unanimous consent, consider H. R. 51.....	136
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
Elections Code Committee, appropriation to (H. R. 44).....	114
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51).....	134
BEEK, JOSEPH	
Calls roll of Senators, Joint Convention.....	20
Notification of election of, as Secretary of Senate.....	29
BEHRENS, JAMES H. Extended privilege of floor.....	119
BEHRENS, MRS. EARL. Extended privilege of floor.....	85
BENNETT, ELWYN S.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
county relief clients, re including problem in future call (H. R. 38).....	96
war bonds, urging purchase of (H. R. 36).....	66
BENNETT, ESTHER. Resolution congratulating (H. R. 54) introduced,	
adopted.....	136
BERRY, WILLIAM CLIFTON	
Appointed member, Assembly Committee to escort Governor to Joint Convention.....	21
Demands previous question, amendments to S. B. 1.....	78, 79
Moves to dispense with reading of Journal.....	37
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
ballot for armed forces, memorializing Congress to provide simplified form for	
(H. R. 24).....	52
Federal Absentee Voters Law, urging enactment of (H. R. 35).....	65
war bonds, urging purchase of (H. R. 36).....	66
BILLS. See TABLE OF ACTIONS ON.....	
BILLS SPONSORED BY BOTH ASSEMBLYMAN AND SENATOR	
Letter from Speaker to Lieutenant Governor re possibilities of.....	53
Opinion of Legislative Counsel re possibilities of.....	10, 11
Special Committee to study possibilities of, appointed.....	53
BIRD, BROTHER STEPHEN. Extended privilege of floor.....	84
BLACK MARKET. Resolution urging citizens to refuse to patronize (H. R. 46),	
introduced, 115; from committee: Be adopted, 141; adopted.....	142
BONELLI, WILLIAM G. Extended privilege of floor.....	85
BORELLI, MARY. Extended privilege of floor.....	163

	PAGE
BOWERS, GEORGE B.	
Adjourment, respect to memory of-----	85
Resolution of sympathy on passing of (H. R. 32), introduced, adopted-----	62
BOY SCOUTS OF AMERICA. Resolution commending (H. R. 41), introduced, adopted-----	108
BOYLE, MRS. JAMES. Extended privilege of floor-----	35
BRADY, BERNARD R. Resolution by, memorializing Congress to provide for delivery, etc., of ballots to armed forces (H. R. 47)-----	125
BREED, SENATOR ARTHUR H. Member of Senate Committee to notify Assembly of Senate organization-----	7
BROOKS, HAROLD. Extended privilege of floor-----	84
BROWN, RALPH M.	
Resolution by—	
county relief clients, re including problem in future call (H. R. 38)-----	96
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)-----	134
wild fowl shooting season, memorializing Federal Government to extend (H. R. 48)-----	131
Youth Authority, requesting, establish facilities for juvenile delinquents (H. R. 59)-----	139
Substitute resolution by (H. R. 48)-----	137
BURKE, REV. WILLIAM M. Communication from, appreciation for resolution of sympathy-----	14
BURNHAM, ROBERT H. Extended privilege of floor-----	119
BURNS, EMMA MAY	
Adjourment, respect to memory of-----	56
Resolution of sympathy on passing of (H. R. 19), introduced, adopted-----	40
BURNS, MICHAEL J.	
Appointed member, Select Committee to notify Senate, Assembly ready to adjourn sine die (H. R. 64)-----	161
Moves to dispense with reading of Journal-----	121
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
holidays for employees of State institutions, re (H. R. 43)-----	113
Obitimus, Bernice and Arthur A., congratulating (H. R. 13)-----	26
BURNS, ROBERT. Extended privilege of floor-----	84
BUHLER, MRS. HARRIETT R. Communication from, opinion of Legislative Counsel re required vote on proposed legislation-----	29
BURKHALTER, EVERETT G.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
aged persons, requesting relaxation of rules re boarding and room of (H. R. 21)-----	41
archives, re storage of State (H. R. 39)-----	96
commending Members of Assembly serving in armed forces (H. R. 10)-----	8
county relief clients, re including problem in future call (H. R. 38)-----	96
holidays for employees of State institutions, re (H. R. 43)-----	113
Housing Laws, requesting lenient interpretation of (H. R. 20)-----	41
war bonds, urging purchase of (H. R. 36)-----	66
wild fowl shooting season, memorializing Federal Government to extend (H. R. 48)-----	131
Substitute resolution by (H. R. 48)-----	137
BURKHEIM, HAROLD E. Communication from, re crutches, etc., for Army and Navy-----	33
BURLEIGH, N. G. Communication from, re Reg. Sess. A. J. R. 46 (repair shops dealing with agricultural machinery)-----	18

C

CALIFORNIA FARM PRODUCTION COUNCIL. Governor's appointments to-----	45
CALIFORNIA HIGHWAY COMMISSION. Governor's appointments to-----	45
CALIFORNIA PENSIONER'S UNION 1. SANTA CRUZ. Communication from, re interpretation of Sec. 2008.5, W. & I. Code-----	18
CALL, HARRISON W.	
Requests unanimous consent, consider H. R. 57-----	139
Resolution by, re waivers of compensation by members of armed forces (H. R. 57)-----	138
CAMP, CHAS. L. Communication from, appreciation for resolution of sympathy-----	14
CAMP, EDGAR W. Communications of appreciation for resolution of sympathy on death of-----	14, 15

CAREY, EDWARD J.	PAGE
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
Sheridan, Bridget, sympathy on passing of (H. R. 26)	54
war bonds, urging purchase of (H. R. 36)	66
CARLSON, ARTHUR W.	
Absent, to attend committee meeting	88
Moves to print in Journal, statement of Subcommittee on Elections immediately	
after roll call on bill	126
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
case of urgency, A. B. 3	116
Federal Absentee Voters Law, urging enactment of (H. R. 35)	65
Sheridan, Bridget, sympathy on passing of (H. R. 26)	54
Submits Report of Subcommittee on Elections	126
CARTER, HENRY E. Adjournment, respect to memory of	56
CARTER, MR. AND MRS. CHARLES H. Extended privilege of floor	118
CHANDLER, SGT. NORMAN. Extended privilege of floor	85
CHAPLAIN. See KIRCHER, REV. CLARENCE A.	
CHIEF CLERK. See OHNMUS, ARTHUR A.	
CHIEF STENOGRAPHER. See DEPENDENER, JUANITA.	
CHILD CARE PROGRAM. Resolution requesting Governor call special session	
to consider (H. R. 23), introduced, 44; motion to withdraw from com-	
mittee lost, 114; from committee without further action	162
CIVILIAN DEFENSE BOARD, NINTH REGIONAL. Copies of resolutions,	
by Executive Committee of	158, 159
CLARKE, GEORGE A.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
Mexico and agricultural workers of, commending (H. R. 30)	61
war bonds, urging purchase of (H. R. 36)	66
CLARKE, ROBERT M.	
Adjournment, respect to memory of	36
Resolution of sympathy on passing of (H. R. 14), introduced, adopted	30
CLEARY, LESLIE. Extended privilege of floor	163
COBB, W. K. Extended privilege of floor	84
CODES, DEERING'S Resolution authorizing purchase of (H. R. 25), intro-	
duced, 52; from committee: Adopt substitute resolution, 91; substitute	
resolution adopted	97
COLLINS, GEORGE D.	
Explanation of vote—	
A. B. 3, 117; S. B. 1	90
Moves division of question, amendments to S. B. 1	77
Point of order by, division of question, amendments to S. B. 1	77
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
ballot for armed forces, memorializing Congress to provide simplified form for	
(H. R. 24)	52
Federal Absentee Voters Law, urging enactment of (H. R. 35)	65
war bonds, urging purchase of (H. R. 36)	66
COLLINS, MRS. SAM L. Extended privilege of floor	118
COLLINS, SAM L.	
Appointed member—	
Special Committee—	
further study possibilities of bills being sponsored by both Assemblyman	
and Senator	53
obtain photographs of former Speakers, and arrange for placement of same	
in frame (H. R. 11)	54
Moves—	
adjourn	36, 56, 85, 119, 163
approve Journals	163
call of Assembly	87
call of Assembly be dispensed with	87
recess	96
withdraw from Rules, re-refer to G. E. & E.—	
H. R. 20, 100; H. R. 21	101
Requests unanimous consent—	
consider—	
A. B. 7, 98; H. R. 4, 4; H. R. 5, 6; H. R. 8, 7; H. R. 11, 9; H. R. 12, 26;	
H. R. 17, 40; H. R. 27, 55; H. R. 49, 133; H. R. 50, 134; S. B. 4,	
100; S. C. R. 6, 89; S. C. R. 9, as amended	145

COLLINS, SAM L.—Continued

PAGE

Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
attaches, appointment of	39
attaches, striking from roll (H. R. 50)	134
case of urgency, S.B. 4	100
contingent expenses—	
incidental expenses, Chief Clerk's Office, authorizing payment of (H. R. 8)	7
closing of session (H. R. 49)	133
postage stamps for members, authorizing purchase of (H. R. 27)	53
Lyons, Mary, sympathy on passing of (H. R. 33)	63
Mexico and agricultural workers of, commending (H. R. 30)	61
mileage for member (H. R. 28)	61
Officers of Assembly, naming (H. R. 1)	3
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)	26
Penal System Reform, Special Committee on, creating (H. R. 12)	25
place pictures of former Speakers in frame (H. R. 11)	8
Standing Rules (H. R. 4)	4
CONFERENCE COMMITTEE CONCERNING S. B. 1	
Assembly Committee appointed	107
Senate Committee appointed	106
Report of	129
adopted by Assembly	129
adopted by Senate	143
COMMITTEES, INTERIM AND SPECIAL	
Attend funeral of Doyle, Jack—	
appointed	138
motion to appoint	138
Chairmen of, to notify Chief Clerk of public meetings (H. R. 45), introduced, adopted	115
Communication from Lyon, Charles W., announcing appointment of, to attend funeral of Eleanor Miller	12
Correctional Problems, change in chairmanship and membership	30
Elections Code—	
opinion of Legislative Counsel re additional appropriation to	128
resolution appropriating additional funds for (H. R. 44), introduced, 114; from committee: Be adopted, adopted	127
Governmental Efficiency and Economy—	
change in membership	30
resolution directing—	
investigate Industrial Accident Commission procedure (H. R. 58), introduced, adopted	139
investigate traffic in liquor (H. R. 40), introduced, 108; statement by Mr. Kraft, 135; from committee without further action	162
study conditions under which State archives are kept (H. R. 39), introduced, 96; from committee: Be adopted, 124; adopted	126
Obtain photographs of former Speakers, and arrange for their placement in frame—	
appointed	54
resolution providing for (H. R. 11), introduced, adopted	8
Old Age Pension Advocates and Promoters, opinion of Legislative Counsel re	58
Opinion of Legislative Counsel re reimbursable expenses of members of	9
Penal System Reform, resolution creating (H. R. 12), introduced, adopted	25
Public Morals, letter re meeting of	64
Study possibilities of bills being sponsored by both Assemblyman and Senator—	
appointed	53
communication from Speaker to Lieutenant Governor re	53
COMMITTEES, SELECT	
Escort Governor to Joint Convention—	
Assembly, appointed	21
Senate, appointed	20
Notify Governor—	
Assembly organization (H. R. 3), appointed, 4; report of	7
Assembly ready to adjourn sine die (H. R. 64), appointed, 160; report of	161
Notify Senate—	
Assembly organization (H. R. 2), appointed, 4; report of	8
Assembly ready to adjourn sine die (H. R. 63), appointed, 160; report of	161
COMMITTEES, SENATE	
Notify Assembly—	
Senate organization	7
Senate ready to adjourn sine die	161
COMMITTEES, STANDING	
Appointed	9
Crime and Correction, appreciation to	141

COMMITTEES, STANDING—Continued	PAGE
Elections Subcommittee, statement	126
motion to print, following roll call on bill	126
substitute motion to print in Journal of January 31	126
Governmental Efficiency and Economy, appreciation to	141
Rules and House Functions—	
appreciation to	141
recommends communications presented by Messrs. Thomas and Allen be printed in Journal	48
COMMUNICATIONS	
From Agriculture, U. S. Department of, re Japanese evacuees' farm equipment (Reg. Sess. H. R. 135)	16
From Bancroft-Whitney Company, re price on revised editions of codes	12
From Burke, Rev. William M., expressing appreciation for resolution of sympathy	14
From Burkheim, Harold E., re crutches, canes, etc., for Army and Navy	33
From California Pensioner's Union 1 of Santa Cruz, re interpretation of Sec. 2008.5, W. & I. Code	18
From Camp, Chas. L., appreciation for resolution of sympathy	14
From Connor, Mary, acknowledging receipt of resolution—	
congratulating former California Governors on birthdays	13
wishing Senator Johnson a speedy recovery from illness	12
From Davis, Chester C., re Reg. Sess. A. J. R. 44 (Jesse W. Lapp) and A. J. R. 45 (Mexican agricultural workers)	15
From Dillon, Richard J., appreciation for resolution of sympathy	14
From Gabrielson, Ira N., Director of Fish and Wildlife Service, re H. R. 296 (additional gas for deer hunting)	15
From Golden Rule Foundation	18
From Harbor District Association of Insurance Agents re "controlled" real estate insurance	48
from committee: Be printed in Journal	48
presented by Mr. Thomas, to committee	30
From Harding, D. E., re Reg. Sess. A. B. 660	18
From Hyatt, Edward, re State Engineer's reports	18, 19
From Illinois, State of, enclosing resolution petitioning Congress to leave concept of constitutional form of Government unchanged	18
From Johnson, Hiram W., expressing appreciation for resolution—	
birthday congratulations to former Governors	13
wishing him a speedy recovery from illness	12
From Los Angeles American Youth for Democracy, re Soldier vote legislation	33
From Lyon, Charles W., appointment of Special Committee to attend funeral of Eleanor Miller	12
From Manning, Anna E., appreciation for resolution of sympathy	15
From Martinez, Elsie, appreciation for resolution of sympathy	19
From Moore, George H., re deposit of money from sale of publications	38
From Navy Department, re naming frigate—	
"Long Beach"	16
"San Pedro"	16
From Nordskog, Andrae B., re Election—Soldier vote	49
from committee: Be printed in Journal	48
presented by Mr. Allen, to committee	30
From Nourse, Dorothy C., appreciation for resolution of sympathy	15
From O'Neal, B. L., re "controlled" real estate insurance	48
from committee: Be printed in Journal	48
presented by Mr. Thomas, to committee	30
From Paulucci, Joseph W., opinion of Legislative Counsel re bills sponsored by both Assemblyman and Senator	10, 11
From Pennsylvania, Commonwealth of, enclosing J. R. 6	19
From Pomona Valley League of Women Voters, re prison legislation	88
From Potter, Franklin, extending best wishes to Members	88
From Roberts, Frederick M., re Governor Warren	33
From Sacramento Chamber of Commerce, appreciation for Reg. Sess. H. R. 94	17
From St. Vincent's School for Boys, appreciation for resolution of sympathy	14
From San Pedro Junior Chamber of Commerce, re naming of frigate San Pedro	16
From Sargent, Willis	30
From Savage, Harold E., re "controlled" real estate insurance	48
from committee: Be printed in Journal	48
presented by Mr. Thomas, to committee	30
From Scoggins, Verne, re plans for California's sponsorship of 13th Armored Division	13
From Six County Council of Townsend Clubs, appreciation to Members for work in behalf of senior citizens	18
From Smith, Grace O., appreciation for resolution of sympathy	12
From State, Department of, re Reg. Sess. H. R. 232 (press restrictions at United Nations Food Conference)	18

COMMUNICATIONS—Continued	PAGE
From Stephens, Wm. D., appreciation for resolution of birthday congratulations to former Governors.....	13
From Tapp, Jesse W., appreciation for Reg. Sess. A. J. R. 44.....	16
From Walton, E. E., re freedom of rights for colored people.....	20
From War Production Board—	
re Reg. Sess. A. J. R. 2 (hearing aid devices).....	17
re Reg. Sess. A. J. R. 46 (repair shops dealing with agricultural machinery).....	18
From Warren, Earl, re appointments made pursuant to Sec. 1000, Pol. Code.....	44
From Weinstock, Sidney L., opinion of Legislative Counsel re appropriation to Interim Committee of prior session.....	53
From Women's Club of Burbank, re juvenile delinquency.....	18
From Wood, Fred B., opinion—	
re appropriation to Elections Code Committee.....	128
re appropriation to Interim Committee of prior session.....	53
re bills sponsored by both Assemblyman and Senator.....	10, 11
re correcting error in prior resolution creating Interim Committee.....	58
re reimbursable expenses, members of Interim Committees.....	9
re vote required for passage of proposed legislation.....	29
From Young, C. C., appreciation for resolution of birthday congratulations to former Governors.....	13
CONCURRENT RESOLUTIONS. See TABLE OF ACTIONS ON.	
CONGRESS	
Resolution memorializing—	
abolish Electoral College, etc. (H. R. 34), introduced, 163; from committee without further action.....	162
enact Federal Absentee Voters Law (H. R. 35), introduced, 65; from committee without further action.....	162
permit members of armed forces to vote (H. R. 16), introduced, 32; from committee without further action.....	162
provide for delivery, etc., of absentee ballots to armed forces (H. R. 47), introduced, 125; from committee: Be adopted, 127; adopted.....	128
provide simplified ballot for armed forces (H. R. 24), introduced, 52; from committee without further action.....	162
re waivers of compensation by members of armed forces (H. R. 57), introduced, adopted.....	128
CONNOLLY, MIKE	
Appointed Assistant Sergeant-at-Arms (H. R. 17).....	39
Stricken from roll (H. R. 50).....	134
CONNOLLY, PVT. JOHN. Extended privilege of floor.....	119
CONNOR, MARY	
Communication from, acknowledging receipt of resolution—	
congratulating former California Governors on birthdays.....	13
wishing Senator Johnson speedy recovery from illness.....	12
CONSTITUTIONAL AMENDMENTS. See TABLE OF ACTIONS ON.	
CONTINGENT EXPENSES	
Resolution authorizing payment of—	
incidental expenses, Chief Clerk's Office (H. R. 8), introduced, adopted.....	7
for closing of session (H. R. 49), introduced, adopted.....	133
itemized bills (H. R. 9), introduced, adopted.....	8
Resolution authorizing purchase—	
of Codes, etc. (H. R. 25), introduced, 52; from committee: Adopt substitute resolution, 91; substitute resolution adopted.....	97
of postage stamps for members (H. R. 27), introduced, adopted.....	55
of stationery and supplies (H. R. 7), introduced, adopted.....	7
COOPER, DULE. Extended privilege of floor.....	163
CORRECTIONAL PROBLEMS, INTERIM COMMITTEE ON. Changes in chairmanship and membership.....	
COSMETOLOGISTS, UNITED ASSOCIATION OF REGISTERED. Officers of, extended privilege of floor.....	163
COTTER, MRS. CARL. Extended privilege of floor.....	84
COUNTY RELIEF CLIENTS. Resolution requesting inclusion of problem of adequate assistance to, in future call (H. R. 38), introduced, 96; from committee without further action.....	
CRAYS, DONALD H. Extended privilege of floor.....	119
CRICHTON, J. G.	
Appointed member, Select Committee to notify Senate of Assembly organization.....	4
Requests unanimous consent, consider H. R. 19.....	40
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
Baker, Thomas A., sympathy on passing of (H. R. 22).....	41
Burns, Emma May, sympathy on passing of (H. R. 19).....	40
county relief clients, re including problem in future call (H. R. 38).....	96
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51).....	134

	PAGE
CRIME AND CORRECTION, STANDING COMMITTEE ON. Appreciation to	141
CRITTENDEN, SENATOR BRADFORD S. Member of Senate Committee to notify Assembly of Senate organization	7
CROWLEY, ERNEST C.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
employees of State institutions, re holidays for (H. R. 43)	113
mileage for members (H. R. 5)	5
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)	26
CROWLEY, PAULA. Extended privilege of floor	84
CUMMINGS, TOM. Extended privilege of floor	163
CURREY, CAPTAIN DOUGLAS. Extended privilege of floor	163

D

DAVIS, CHESTER C. Communication from, re Reg. Sess. A. J. R. 44 (Jesse W. Tapp), and A. J. R. 45 (Mexican agricultural workers)	15
DAY, ALBERT	
Appointed Journal Clerk (H. R. 17)	39
Stricken from roll (H. R. 50)	134
DAY, ALBERT M. Communication from, re Reg. Sess. S. J. R. 9 (opening Sheepy Lake area to hunting)	15
DEBS, ERNEST E.	
Appointed member, Select Committee to inform Senate. Assembly ready to adjourn sine die (H. R. 63)	160
Requests unanimous consent, consider H. R. 63	160
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
archives, re storage of State (H. R. 39)	96
ballot for armed forces and Merchant Marine, memorializing Congress to provide simplified form for (H. R. 24)	52
Child Care Program, requesting Governor call special session to consider (H. R. 23)	44
county relief clients, re including problem in future call (H. R. 38)	96
inform Senate, Assembly ready to adjourn sine die (H. R. 63)	160
war bonds, urging purchase of (H. R. 36)	66
DELAP, SENATOR T. H. Appointed member, Senate Committee to escort Governor to Joint Convention	20
DEMOSTHENES, PVT. DEMOS. Extended privilege of floor	119
DENNY, PAUL	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
Federal Absentee Voters Law, urging enactment of (H. R. 35)	65
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
DEPENDENER, JUANITA	
Appointed Chief Stenographer (H. R. 17)	39
Stricken from roll (H. R. 50)	134
DESCH, FRED J. Appreciation to	143
DESMOND, EARL D.	
Appoints Special Committee to attend funeral of Jack Doyle	138
Gives notice of motion to withdraw A. C. Rs. 4 and 6 from committee	81
Moves—	
call of Assembly, A. J. R. 6	124
call of Assembly be dispensed with, A. J. R. 6	125
recess	71
to hear Rayns, Frank, of Norwich, England	9
Presents communication from Burkheim, Harold E., re crutches, etc., for Army and Navy	33
Presides over Assembly	136
Requests unanimous consent, consider H. R. 33	63
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
Lyons, Mary, sympathy on passing of (H. R. 33)	63
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)	26
Withholds unanimous consent, withdraw S. C. A. 2 from committee	82
DESMOND, RICHARD. Poem by	34
DEUEL, SENATOR CHARLES H.	
Appointed member, Committee on Conference, S. B. 1	106
Member, Senate Committee to Notify Assembly, Senate ready to adjourn sine die	161

	PAGE
DICKEY, RANDAL F.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
authorizing purchase of Deering's Codes, etc., for members (H. R. 25)	52
Industrial Accident Commission, investigate procedure of (H. R. 58)	139
Sheridan, Bridget, sympathy on passing of (H. R. 26)	54
Seconds motion to amend S. B. 1	79
Substitute resolution by (H. R. 25)	97
DILLINGER, SENATOR H. E. Appointed member, Committee on Conference, S. B. 1	106
DILLON, RICHARD J. Communication from, appreciation for resolution of sympathy	14
DILLS, CLAYTON A.	
Demands previous question, amendments to S. B. 1	78
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
archives, re storage of State (H. R. 39)	96
ballot for armed forces, memorializing Congress to provide simplified form for (H. R. 24)	52
Child Care Program, requesting special session to consider (H. R. 23)	44
county relief clients, re including problem in future call (H. R. 38)	96
DILLS, FIREMAN 2d CLASS EARL. Extended privilege of floor	84
DILLS, RALPH C.	
Demands roll call, amendments to S. B. 1	78
Presides over Assembly	124, 131
Requests unanimous consent, consider H. R. 54	136
Resolution by—	
ballot for armed forces, memorializing Congress to provide simplified form for (H. R. 24)	52
Bennett, Esther, congratulating (H. R. 54)	136
Child Care Program, requesting special session to consider (H. R. 23)	44
county relief clients, re including problem in future call (H. R. 38)	96
farmers, congratulating (H. R. 42)	112
re interpretation of Motor Vehicle Transportation License Tax Law (H. R. 62)	160
re waivers of compensation by members of armed forces (H. R. 57)	138
Seconds motion to print remarks by Mr. Johnson in Journal	144
DILWORTH, NELSON S.	
Moves substitute motion, print in Jan. 31 Journal, statement of Subcommittee on Elections	126
Remarks by, re Eleanor Miller (A. C. R. 6)	32
Requests unanimous consent, consider A. C. R. 6	31
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
DOYLE, JACK.	
Adjournment, respect to memory of	163
Best wishes of Assembly for speedy recovery transmitted to	33
Motion to appoint Special Committee to attend funeral of	138
Resolution of sympathy on passing of (H. R. 53), introduced, adopted	135
Special Committee to attend funeral of, appointed	138
DOYLE, THOMAS J.	
Appointed member—	
Special Committee—	
attend funeral of Miller, Eleanor	12
obtain photographs of former Speakers, and arrange for placement of same in frame (H. R. 11)	54
Excused for balance of day	90
Granted leave of absence for day	121
Moves—	
amend S. B. 1	78
print remarks by Governor in Journal	25
Requested to convey best wishes of Assembly to his brother	33
Requests unanimous consent, consider A. C. R. 1	43
Resolution by—	
authorizing purchase of Deering's Codes, Larmer 1943 Indexes, and Attorney General's Opinions for members (H. R. 25)	52
place pictures of former Speakers in frame (H. R. 11)	8
railroads, and personnel of, commending (H. R. 31)	62
war bonds, urging purchase of (H. R. 36)	66
Substitute resolution by (H. R. 25)	97

	PAGE
DUDLEY, A. S. Communication from, appreciation for Reg. Sess. H. R. 94-----	17
DUNN, FRANCIS.	
Absent, to attend committee meeting-----	88
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)-----	125
ballot for armed forces, memorializing Congress to provide simplified form for	
(H. R. 24)-----	52
Sheridan, Bridget, sympathy on passing of (H. R. 26)-----	54
Submits Report of Subcommittee on Elections-----	126
DWYER, REV. FATHER RICHARD C. Notification of election of, as Senate	
Chaplain-----	29

E

EDMONSTON, A. D. Communications from, re State Engineer's reports-----	18, 19
ELECTION CALENDAR. Motion to print, for distribution-----	138
ELECTIONS, SUBCOMMITTEE ON. Statement by-----	126
Motion to print, immediately following roll call on bill-----	126
Substitute motion to print, in Journal of Jan. 31-----	126
ELECTIONS CODE, INTERIM COMMITTEE ON	
Opinion of Legislative Counsel re additional appropriation to-----	128
Resolution appropriating funds to (H. R. 44), introduced, 114; from committee:	
Be adopted, adopted-----	127
ELECTORAL COLLEGE SYSTEM. Resolution re abolishing (H. R. 34),	
introduced, 63; from committee without further action-----	162
EMPLOYEES OF STATE INSTITUTIONS. Resolution re holidays for	
(H. R. 43), introduced, 113; adopted-----	114
EMPLOYMENT, DEPARTMENT OF	
Governor's appointment of Chief—	
Division of Accounts and Tax Collections-----	46
Division of Public Employment-----	46
EMPLOYMENT STABILIZATION COMMISSION, CALIFORNIA. Gover-	
nor's appointments to-----	46
ENGLEBRIGHT, HARRY LANE. Adjournment, respect to memory of-----	119
ENROSSING AND ENROLLING CLERK	
Appointed (H. R. 17)-----	39
Stricken from roll (H. R. 50)-----	134
EQUALIZATION, STATE BOARD OF	
Compilation by, of Federal real estate ownership in California-----	94
motion to print in Journal-----	93
request to print 5,000 copies of-----	114
Resolution requesting, make liberal interpretation of Transportation License	
Tax Law (H. R. 62), introduced, adopted-----	160
ERICSON, EDWARD A. Extended privilege of floor-----	35, 85
ERWIN, THOMAS M.	
Requests unanimous consent, consider S. J. R. 9-----	149
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)-----	125
hay, memorializing O.P.A. to include storage costs in ceiling price for	
(H. R. 51)-----	134
holidays for employees of State institutions, re (H. R. 43)-----	113
war bonds, urging purchase of (H. R. 36)-----	66
waterfowl, re ammunition to prevent destruction of crops by (H. R. 61)-----	146
wild fowl shooting season, memorializing Federal Government to extend	
(H. R. 48)-----	131
Substitute resolution by (H. R. 48)-----	137
EVANS, JOHN W.	
Appointed member, Special Committee to attend funeral of Doyle, Jack-----	138
Demands previous question, amendments to S. B. 1-----	78, 79
Letter to, re meeting of Interim Committee on Public Morals-----	64
Requests unanimous consent, consider H. R. 7-----	7
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)-----	125
ballot for armed forces, memorializing Congress to provide simplified form for	
(H. R. 24)-----	52
stationery and supplies, authorizing purchase of (H. R. 7)-----	7
EVERETT, PVT. LEONARD J. Extended privilege of floor-----	119

	Page
F	
FARMERS, CALIFORNIA. Resolution congratulating (H. R. 42), introduced, adopted.....	112
FEDERAL GOVERNMENT. Resolution memorializing, to extend wild fowl shooting season (H. R. 48), introduced, 131; from committee: Adopt substitute resolution, 136; substitute resolution adopted.....	137
FEDERAL REAL ESTATE OWNERSHIP IN CALIFORNIA. Compilation of Motion to print in Journal.....	94
Request to print 5,000 copies of.....	93
FELT, DUDLEY P. Communication from, re hearing aid devices.....	114
FIELD, C. DON.....	17
Appointed member—	
Committee on Conference, S. B. 1.....	107
Special Committee, attend funeral of Miller, Eleanor.....	12
Moves—	
substitute S. B. 1 for A. B. 1.....	72
suspend Rules, withdraw S. B. 1 from committee.....	72
Requests unanimous consent, consider H. R. 6.....	6
Resolution by, recognizing credentials of press representatives.....	6
Seconds motion to print remarks by Mr. Dilworth in Journal.....	32
FISH AND WILDLIFE SERVICE	
Communications from—	
re additional gas for deer hunting.....	15
re opening Sheepy Lake area to public hunting (S. J. R. 9 Reg. Sess.).....	15
FITZSIMMONS, (CPL. EDDIE. Extended privilege of floor.....	118
FLAG. Pledge of allegiance to.....	3
FOUR, WALTER J.	
Appointed member, Committee on Conference, S. B. 1.....	107
Moves—	
amend S. B. 1.....	75
call of Assembly, amendments to S. B. 1.....	79
call of Assembly be dispensed with, amendments to S. B. 1.....	83
Requests unanimous consent, consider H. R. 14.....	31
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
Clarke, Robert M., sympathy on passing of (H. R. 14).....	30
employees of State institutions, re holidays for (H. R. 43).....	113
Substitute resolution by (H. R. 25).....	97
FRAZIER, PVT. DANIEL J., JR. Extended privilege of floor.....	118
FUGITT, ED. Communication from, re Reg. Sess. S. J. R. 9 (opening Sheepy Lake area to public hunting).....	15
G	
GAFFNEY, EDWARD M.	
Explanation of vote, A. B. 3.....	131
Granted leave of absence for balance of day.....	114
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
county relief clients, re including problem in future call (H. R. 38).....	96
Federal Absentee Voters Law, urging enactment of (H. R. 35).....	65
war bonds, urging purchase of (H. R. 36).....	66
wild fowl shooting season, memorializing Federal Government to extend (H. R. 48).....	131
Youth Authority, requesting, establish facilities for juvenile delinquents (H. R. 59).....	139
Substitute resolution by (H. R. 48).....	137
GABRIELSON, IRA N. Communication from, re Reg. Sess. H. R. 296 (additional gas for deer hunting).....	15
GALLAGHER, DAN. Extended privilege of floor.....	84
GANNON, CHESTER F.	
Demands previous question, amendments to S. B. 1.....	78
Demands roll call, amendments to S. B. 1.....	78
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
archives, re storage of State (H. R. 39).....	96
Federal Absentee Voters Law, urging enactment of (H. R. 35).....	65
war bonds, urging purchase of (H. R. 36).....	66
GOLDEN RULE FOUNDATION. Communication from.....	18

	PAGE
GOVERNMENTAL EFFICIENCY AND ECONOMY, INTERIM COMMITTEE ON	
Change in membership.....	30
Resolutions directing—	
investigate Industrial Accident Commission procedure (H. R. 58), introduced, adopted.....	139
investigate liquor traffic (H. R. 40), introduced, 108; statement by Mr. Kraft, 135; from committee without further action.....	162
study conditions under which State archives are kept (H. R. 39); introduced, 96; from committee: Be adopted, 124; adopted.....	126
GOVERNMENTAL EFFICIENCY AND ECONOMY, STANDING COMMITTEE ON. Appreciation to.....	141
GOVERNOR. See WARREN, EARL.	
GREENE, W. J.	
Appointed Assistant Sergeant-at-Arms (H. R. 17).....	39
Stricken from roll (H. R. 50).....	134
GRISWOLD, MARY LOUISE. Extended privilege of floor.....	85
GUTHRIE, C. L.	
Appointed member, Select Committee to notify Governor of Assembly organization.....	4
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
Baker, Thomas A., sympathy on passing of (H. R. 22).....	41
farmers, congratulating (H. R. 42).....	112
hay, memorializing OPA to include reimbursement for storage costs in ceiling price for (H. R. 51).....	134
Mexico and agricultural workers of, commending (H. R. 30).....	61
H	
HAGERTY, CHAS. J. Endorses Governor's Proclamation convening Legislature in special session.....	3
HAGGERTY, GERALD P.	
Appointed member, Select Committee to notify Senate, Assembly ready to adjourn sine die (H. R. 64).....	161
Explanation of vote, A. B. 3.....	117
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
county relief clients, re including problem in future call (H. R. 38).....	96
war bonds, urging purchase of (H. R. 36).....	66
HAMMETT, LEO. Extended privilege of floor.....	119
HARDING, D. E. Communication from, re Reg. Sess. A. B. 660.....	18
HASKELL, BROTHER RICHARD. Extended privilege of floor.....	84
HASTAIN, HARVEY E.	
Appointed member, Select Committee to notify Governor of Assembly organization.....	4
Resolution by, commending Mexico and her agricultural works (H. R. 30).....	61
HATFIELD, SENATOR GEORGE J. Member of Senate Committee to notify Assembly, Senate ready to adjourn sine die.....	161
HAWKINS, AUGUSTUS F.	
Appointed member, Assembly Committee to escort Governor to Joint Convention	21
Gives notice of motion to withdraw H. Rs. 23 and 24 from Rules.....	55
Moves—	
amend S. B. 1.....	78
withdraw H. R. 23 from committee.....	114
Presents communication from Legislative Counsel, opinion re correcting error in prior resolution.....	58
Resolution by—	
aged persons, requesting relaxation of rules re boarding and rooming of (H. R. 21).....	41
ballot for armed forces, memorializing Congress to provide simplified form for (H. R. 24).....	52
county relief clients, re including problem in future call (H. R. 38).....	96
Child Care Program, requesting special session to consider (H. R. 23).....	44
Federal Absentee Voters Law, urging enactment of (H. R. 35).....	65
Ohnibus, Bernice and Arthur A., congratulating (H. R. 13).....	26
HAWTHORNE, MARJORIE L. Extended privilege of floor.....	163
HAY CEILING PRICE FOR. Resolution memorializing OPA to include costs for storage in (H. R. 51), introduced, 134; adopted.....	135
HEARING AND DEVICES. Communications re.....	17
HEEDE, MATTHIAS. Extended privilege of floor.....	84

	AGE
HEISINGER, S. L.	
Appointed member, Assembly Committee to escort Governor to Joint Convention	21
Explanation of vote, S. B. 1	90
Moves—	
dispense with reading of Journal	57
suspend Rules, withdraw S. C. A. 2 from committee	83
Requests unanimous consent, consider H. R. 42	112
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
archives, re storage of State (H. R. 39)	96
armed forces, memorializing Congress to permit members of, to vote (H. R. 16)	32
Baker, Thomas A., sympathy on passing of (H. R. 22)	41
Burns, Emma May, sympathy on passing of (H. R. 19)	40
county relief clients, re including problem in future call (H. R. 38)	96
farmers, congratulating (H. R. 42)	112
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)	26
war bonds, urging purchase of (H. R. 36)	66
wild fowl shooting season, memorializing Federal Government to extend (H. R. 48)	131
Substitute resolution by (H. R. 48)	137
HENEGHAN, P.F.C. JOHN. Extended privilege of floor	119
HENRY, BROTHER. Extended privilege of floor	84
HENRY, PAUL L. Communication from, re disposition of Japanese evacuees' farm equipment	16
HIGHWAY COMMISSION, CALIFORNIA. Governor's appointments to	45
HISTORY, ASSEMBLY FINAL	165
HOFFMAN, PRIVATE LOUIS. Extended privilege of floor	35
HOLLIBAUGH, JONATHAN J.	
Appointed member, Select Committee to notify Senate of Assembly organization	4
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
liquor, directing investigation of traffic in (H. R. 40)	108
war bonds, urging purchase of (H. R. 36)	66
HOLTON, KARL W. Governor's appointment of, to Youth Authority	47
HOUSE RESOLUTIONS. See RESOLUTIONS, HOUSE	
HOUSER, LIEUTENANT GOVERNOR FREDERICK F.	
Appoints Senate Committee to escort Governor to Joint Convention	20
Directs Secretary to call roll of Senators, Joint Convention	20
HOUSER, MRS. FREDERICK F. Extended privilege of floor	118
HOUSING LAWS. Resolution requesting lenient interpretation of (H. R. 20).	
introduced, 41; withdrawn, re-referred to G. E. & E., 100; from committee without further action	162
HAUGHIAN, JAMES. Extended privilege of floor	84
HUBBARD, MRS. Extended privilege of floor	84
HUGHES, W. RAY. Extended privilege of floor	119
HUPPERT, MORITZ. Extended privilege of floor	84
HYATT, EDWARD. Communications from, re State Engineer's reports	18, 19
I	
ILLINOIS, STATE OF. Communication from, enclosing resolution petitioning Congress to leave concept of constitutional form of Government unchanged	18
INDUSTRIAL ACCIDENT COMMISSION. Resolution providing for investigation of procedure of (H. R. 58), introduced, adopted	139
INDUSTRIAL RELATIONS, STATE DEPARTMENT OF. Resolution requesting, give lenient interpretation to Housing Laws (H. R. 20), introduced, 41; withdrawn, and re-referred, 100; from committee without further action	126
INSURANCE COMMISSIONER. Governor's appointment of	45
INTERIOR, UNITED STATES DEPARTMENT OF	
Communication from Fish and Wildlife Service—	
re Reg. Sess. H. R. 296 (additional gas for deer hunting)	15
re Reg. Sess. S. J. R. 9 (opening Sheepy Lake area to hunting)	15
Resolution memorializing, to extend wild fowl shooting season (H. R. 48), introduced, 131; from committee: Adopt substitute resolution, 136; substitute resolution adopted	137
INTERIM COMMITTEES OF PRIOR SESSION. Opinion of Legislative Counsel re appropriation to, at special session	53

J

	PAGE
JACOBS, RANDALL	
Communication from, re naming of frigate—	
"Long Beach"	16
"San Pedro"	16
JALONICK, MARGARET WOOD. Petition from, re horse slaughtering plants	20
JAPANESE ATROCITIES. Resolution urging purchase of war bonds to avenge	
(H. R. 36), introduced, adopted.....	66
JAPANESE EVACUEES. Communication from U. S. Department of Agriculture	
re disposition of Japanese evacuees' farm equipment of (Reg. Sess.	
H. R. 135)	16
JOHNSON, GARDINER	
Appointed Chairman, Interim Committee on Correctional Problems.....	30
Appointed member, Committee on Conference, S. B. 1.....	107
Demands roll call, amendments to S. B. 1.....	78
Moves—	
amend S. B. 1	79
consider substitute H. R. 25.....	97
Remarks by, re Speaker Lyon.....	144
Requests unanimous consent consider—	
A. C. A. 2, 93; A. C. R. 7, 35; H. R. 10, 8; H. R. 58, 139; S. C. R. 3.....	38
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
archives, re storage of State (H. R. 39)	96
authorizing purchase of Deering's Codes, etc., for members (H. R. 25)	52
case of urgency, S. B. 1.....	72
Industrial Accident Commission, investigate procedure of (H. R. 58).....	139
re interpretation of Motor Vehicle Transportation License Tax Law	
(H. R. 62)	160
Sheridan, Bridget, sympathy on passing of (H. R. 26)	54
Youth Authority, requesting, establish facilities for juvenile delinquents	
(H. R. 59)	139
Seconds motion—	
substitute S. B. 1 for A. B. 1.....	72
suspend Rules, withdraw S. B. 1 from committee.....	72
Substitute resolution by (H. R. 25)	97
JOHNSON, HIRAM W.	
Communication from, expressing appreciation for resolution—	
extending birthday congratulations to former Governors.....	13
wishing him a speedy recovery from illness.....	12
JOINT CONVENTION	
Adjournment of	25
Appointment of Committees of Escort for Governor in	20,
Assembly and Senate meet in, hear from Governor Warren	20
Assembly roll call in	20
Governor addresses	21
Presentation of Governor.....	21
Temporary suspension of Assembly Rule 99.....	21
JOINT RESOLUTIONS. See TABLE OF ACTIONS ON.	
JONES, LT. WM. A. Extended privilege of floor.....	118
JORDAN, FRANK M.	
Administers oaths of office to Officers of Assembly.....	3
Attests Governor's Proclamation	3
Certifies Governor's Proclamation	2
Endorses Governor's Proclamation	3
Motion to print Election Calendar for distribution by.....	138
JOURNAL CLERK. See DAY, ALBERT.	
JOURNALS	
Approved	163
Further reading dispensed with.....	37, 57, 88,
JUVENILE DELINQUENTS. Resolution requesting Youth Authority establish	
facilities for (H. R. 59), introduced, adopted.....	139

K

KAPPELMAN, SGT. ROBERT. Extended privilege of floor.....	119
KELLEMS, JESSE RANDOLPH	
Appointed member Special Committee to attend funeral	
of Doyle, Jack	138
of Miller, Eleanor	12

KELLEMS, JESSE RANDOLPH Continued	PAGE
Moves	
excuse Mr. Doyle	90
grant leave of absence to Mr. Doyle	121
Requests unanimous consent, consider—	
A. C. R. 3, 43; H. R. 18, 40; H. R. 53	135
Resolution by—	
Absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
aged persons, requesting relaxation of rules re boarding and rooming of	
(H. R. 21)	41
authorizing purchase of Deering's Codes, etc., for members (H. R. 25)	52
Doyle, Jack, sympathy on passing of (H. R. 53)	135
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
Housing Laws, requesting lenient interpretation of (H. R. 20)	41
war bonds, urging purchase of (H. R. 36)	66
Weber, Arthur A., sympathy on passing of (H. R. 17)	40
Second motion to appoint Special Committee to attend funeral of Doyle, Jack	138
Substitute resolution by (H. R. 25)	97
KELLY, BELLE. Extended privilege of floor	84
KERVIN, FRANCIS L. Extended privilege of floor	119
KILPATRICK, VERNON	
Demands previous question, H. R. 36	67
Explanation of vote—	
amendments to S. B. 1, 78; S. B. 1	90
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
aged persons, requesting relaxation of rules re boarding and rooming of	
(H. R. 21)	41
archives, re storage of State (H. R. 39)	96
county relief clients, re including problem in future call (H. R. 38)	96
Housing Laws, requesting lenient interpretation of (H. R. 20)	41
war bonds, urging purchase of (H. R. 36)	66
Second motion—	
division of question, amendments to S. B. 1	77
print Election Calendars	138
KING, ALBERT M.	
Appointed member, Select Committee to notify Senate, Assembly ready to	
adjourn sine die (H. R. 63)	160
Requests unanimous consent, consider H. R. 59	140
Resolution by—	
authorizing purchase of Deering's Codes, etc., for members (H. R. 25)	52
county relief clients, re including problem in future call (H. R. 38)	96
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)	134
Federal Absentee Voters Law, urging enactment of (H. R. 35)	65
Industrial Accident Commission, investigate procedure of (H. R. 58)	139
Youth Authority, requesting, establish facilities for juvenile delinquents	
(H. R. 59)	139
war bonds, urging purchase of (H. R. 36)	66
Substitute resolution by (H. R. 25)	97
KIRCHER, REV. CLARENCE A.	
Appointed Chaplain (H. R. 17)	39
Named Chaplain (H. R. 1)	3
Offers prayer	37, 121
opening of session	1
Senate notified of election of, as Chaplain (H. R. 2)	4
Stricken from roll (H. R. 50)	134
KNIGHT, JOHN B.	
Demands previous question, amendments to S. B. 1	78
Mileage for (H. R. 28), introduced, adopted	61
KNIGHT, T. FENTON	
Appointed member, Special Committee to attend funeral of Miller, Eleanor	12
Requests unanimous consent, consider H. R. 9	8
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
contingent expenses, authorizing payment of itemized bills (H. R. 9)	8
KNUDSON, KENNETH. Extended privilege of floor	163
KOVERMAN, IDA. Extended privilege of floor	35

	PAGE
KRAFT, FREDERICK H.	
Requests unanimous consent, consider H. R. 32	63
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
Bowers, George B., sympathy on passing of (H. R. 32)	62
liquor, directing investigation of traffic in (H. R. 40)	108
war bonds, urging purchase of (H. R. 36)	66
Statement by (H. R. 40)	135
KUCHEL, J. T. AND MRS. THOMAS. Extended privilege of floor	84
KWIATHOWSKI, JOSEPH. Extended privilege of floor	119
L	
LARKIN, LILLIAN	
Appointed Postmistress (H. R. 17)	39
Stricken from roll (H. R. 50)	134
LARMAC 1943 INDEX. Resolution authorizing purchase of (H. R. 25), introduced, 52; from committee: Adopt substitute resolution, 91; substitute resolution adopted	97
LEA, JOHN F. Notification of election of, as Senate Minute Clerk	29
LEFEVRE, CAPTAIN AND MRS. IVAN. Extended privilege of floor	118
LEFEVRE, CAPTAIN IVAN W. Extended privilege of floor	119
LEONARD, JACOB M.	
Appointed member, Select Committee to notify Senate, Assembly ready to adjourn sine die (H. R. 64)	161
Requests unanimous consent, consider—	
A. C. R. 4, 42; H. R. 52, 135; S. C. R. 8.	133
Resolution by—	
Baker, Carl C., sympathy on passing of (H. R. 52)	134
home front pledge, urging support of (H. R. 46)	115
Mexico and agricultural workers of, commending (H. R. 30)	61
war bonds, urging purchase of (H. R. 36)	66
LEWRIGHT, HAROLD F. Appreciation to	143
LIEUTENANT GOVERNOR. See HOUSER, FREDERICK F.	
LOCKWOOD, MRS. Extended privilege of floor	84
LOEB, MR. AND MRS. JOSEPH. Extended privilege of floor	36
LONG BEACH. Communication from Navy Department announcing frigate has been named	16
LONGSHOREMAN'S AND WAREHOUSEMAN'S UNION, INTERNATIONAL. Resolution commending (H. R. 55), introduced, adopted	137
LOS ANGELES AMERICAN YOUTH FOR DEMOCRACY. Communication from, re Soldiers' vote legislation	33
LOUD SPEAKERS. Resolution providing for installation of, in Assembly Chamber (H. R. 37), introduced, 79; from committee: Be adopted, adopted	91
LOWREY	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
Federal Absentee Voters Law, urging enactment of (H. R. 35)	65
hay, memorializing O.P.A. to include storage costs in ceiling price for (H. R. 51)	134
war bonds, urging purchase of (H. R. 36)	66
Youth Authority, requesting, establish facilities for juvenile delinquents (H. R. 59)	139
LYON, CHARLES W.	
Adjourns Joint Convention	25
Adjourns 55th (3d Extra) Sess. sine die	163
Announces—	
absence of members due to committee meeting	88
Assembly at recess to meet with Senate in Joint Convention	20
changes in Interim Committees, vice Mr. Potter	30
Appointed member, Special Committee to attend funeral of Doyle, Jack	138
Appoints—	
Assembly Committee to escort Governor to Joint Convention	21
Special Committee—	
further study possibilities of bills being sponsored by both an Assemblyman and a Senator	53
obtain photographs of former Speakers, and arrange for placement in frame (H. R. 11)	54
Communication from, announcing appointment of committee to attend funeral of Miller, Eleanor	12

LYON, CHARLES W.—Continued	PAGE
Directs Chief Clerk to call roll of Assemblymen, Joint Convention-----	20
Expresses appreciation of Assembly—	
to committees-----	141
to Messrs. Desch, Lewright, and Rossi-----	143
Letter to Lt. Gov. Houser re appointment of Special Committee to study possibilities of bills being sponsored by both Assemblyman and Senator-----	53
Named Speaker (H. R. 1)-----	3
Oath of office by-----	3
Presents communication—	
from Governor, re appointments made pursuant to Sec. 1000, Pol. Code-----	44
from Los Angeles American Youth for Democracy, re Soldier's vote-----	33
from Pomona Valley League of Women Voters, re prison legislation-----	88
from Potter, Franklin, extending best wishes to members-----	88
from Wood, Fred B., opinion—	
re bills being sponsored by both Assemblyman and Senator-----	10, 11
re reimbursable expenses of members of Interim Committees-----	9
Presents Governor to Joint Convention-----	21
Presents petition from Jalonick, Margaret Wood, re horse slaughtering plants-----	20
Presides over Assembly, after taking oath of office-----	3
Requests Assembly give pledge of allegiance to Flag-----	3
Requests Mr. Doyle convey best wishes of Assembly to his brother-----	33
Requests unanimous consent, consider H. R. 56-----	138
Remarks by Mr. Johnson relative to-----	144
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
Baker, Carl C., sympathy on passing of (H. R. 52)-----	134
commending Members of Assembly serving in armed forces (H. R. 10)-----	8
Doyle, Jack, sympathy on passing of (H. R. 53)-----	135
McGinley, Frank, sympathy on passing of (H. R. 15)-----	31
Mexico and agricultural workers of, commending (H. R. 30)-----	61
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)-----	26
Sheridan, Bridget, sympathy on passing of (H. R. 26)-----	54
Wallen, Lt. Col. John Victor, sympathy on passing of (H. R. 56)-----	137
Weber, Arthur A., sympathy on passing of (H. R. 17)-----	40
Rules on point of order by Mr. Collins, George D.-----	77
Senate notified of election of, as Speaker (H. R. 2)-----	4
LYON, HENRY W. Extended privilege of floor-----	36
LYON, MRS. CHARLES W. Extended privilege of floor-----	118
LYONS, JOHN C.	
Appointed member, Interim Committee on Correctional Problems-----	30
Demands previous question, H. R. 36-----	67
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
Doyle, Jack, sympathy on passing of (H. R. 53)-----	135
war bonds, urging purchase of (H. R. 36)-----	66
LYONS, MRS. MARY	
Adjournment, respect to memory of-----	85
Resolution of sympathy, on passing of (H. R. 33), introduced, adopted-----	63
LUDLOW, MRS. R. T. Communication from, re juvenile delinquency-----	18

M

MAHONEY, CAPTAIN MICHAEL F. Extended privilege of floor-----	119
MALONE, MARY. Extended privilege of floor-----	163
MALONEY, THOMAS A.	
Moves—	
appoint Special Committee to attend funeral of Doyle, Jack-----	138
excuse Mr. Gaffney-----	114
instruct Chief Clerk have Election Calendar printed-----	138
print in Journal—	
poem by Richard Desmond-----	34
remarks by Mr. Dilworth-----	32
Named Speaker pro tempore (H. R. 1)-----	3
Oath of office by-----	3
Presents communication from Sargent, Willis-----	30
Presides over Assembly-----	37, 79, 96, 123, 132
Remarks by Mr. Wollenberg relative to-----	144
Requests unanimous consent, consider—	
H. R. 26, 54; H. R. 36, 67; H. R. 55-----	137

MALONEY, THOMAS A.—Continued

PAGE

Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)-----	125
archives, re storage of State (H. R. 39)-----	96
Baker, Carl C., sympathy on passing of (H. R. 52)-----	134
commending Members of Assembly serving in armed forces (H. R. 10)-----	8
Doyle, Jack, sympathy on passing of (H. R. 53)-----	135
International Longshoremen's and Warehousemen's Union, commending	
(H. R. 55)-----	137
Miller, Alvin W., sympathy on passing of (H. R. 29)-----	61
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)-----	26
Sheridan, Bridget, sympathy on passing of (H. R. 26)-----	54
war bonds, urging purchase of (H. R. 36)-----	66
Senate notified of election of, as Speaker pro tempore (H. R. 2)-----	4
MANNING, ANNA E. Communication from, appreciation for resolution of	
sympathy, passing of Monsignor Francis P. McElroy-----	14
MARQUIS, NORMAN. Extended privilege of floor-----	163
MARTIN, MORRIS. Appointed Assistant Sergeant-at-Arms (H. R. 17)-----	39
MARTIN, P.F.C. GEORGE I. Extended privilege of floor-----	119
MARTINEZ, ELSIE. Communication from, appreciation for resolution of	
sympathy-----	19
MARTINEZ, XAVIER. Communication of appreciation for resolution of	
sympathy on death of-----	19
MASSION, JACK	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)-----	125
county relief clients, re including problem in future call (H. R. 38)-----	96
MATTHEWS, ADENA C. Extended privilege of floor-----	118
MATTOX, STANLEY	
Appointed Page (H. R. 17)-----	39
Stricken from roll (H. R. 50)-----	134
MAY, CAPTAIN AND MRS. E. CRAWFORD. Extended privilege of floor-----	118
MAYO, SENATOR JESSE M. Appointed member, Committee on Conference,	
S. B. 1-----	106
McARTHUR, LELAND. Extended privilege of floor-----	35
McBRIDE, SENATOR JAMES J. Appointed member, Senate Committee to	
escort Governor to Joint Convention-----	20
McCARTNEY, H. S. G. Adjournment, respect to memory of-----	56
McCOLLISTER, RICHARD H. Resolution by, re waivers of compensation by	
members of armed forces (H. R. 57)-----	138
McDERMOTT, M. J. Communication from, acknowledging receipt of Reg. Sess.	
H. R. 232 (press restrictions at United Nations Food Conference)-----	18
McDONALD, MRS. FRANK. Extended privilege of floor-----	118
McELROY, MONSIGNOR FRANCIS P. Communications of appreciation for	
resolution of sympathy on passing of-----	14
McFADDEN, A. J. Governor's appointment of, to California Farm Production	
Council-----	45
McGEE, WM. Communication from, re interpretation of Sec. 2008.5, W. & I.	
Code-----	18
McGINLEY, FRANK	
Adjournment, respect to memory of-----	36
Resolution of sympathy on passing of (H. R. 15), introduced, adopted-----	31
McGLOUGHIN, WILLIAM. Extended privilege of floor-----	84
McLEAN, DORA. Extended privilege of floor-----	84
McMILLAN, LESTER A.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)-----	125
Child Care Program, requesting Governor call special session to consider	
(H. R. 23)-----	44
county relief clients, re including problem in future call (H. R. 38)-----	96
McNALLY, JOHN. Extended privilege of floor-----	84
MERCHANT MARINE. Resolution memorializing Congress to provide simplified	
ballot for (H. R. 24), introduced, 52; from committee without	
further action-----	162
MIDDOUGH, LORNE D.	
Explanation of vote, S. J. R. 2-----	122
Offers prayer-----	57, 88
Requests unanimous consent, consider H. R. 62-----	160

MIDDOUGH, LORNE D.—Continued

PAGE

Resolution by—	
aged persons, requesting relaxation of rules re boarding and rooming of (H. R. 21)	41
archives, re storage of State (H. R. 39)	96
Housing Laws, requesting lenient interpretation of (H. R. 20)	41
re interpretation of Motor Vehicle Transportation License Tax Law (H. R. 62)	160
Youth Authority, requesting, establish facilities for juvenile delinquents (H. R. 59)	139
MILLER, ALVIN W. Resolution of sympathy on passing of (H. R. 29), introduced, adopted	61
MILLER, ELEANOR	
Adjournment, respect to memory of	36
Communication from Lyon, Charles W., appointment of committee to attend funeral of	12
MILLER, RAUP	
Demands previous question, amendments to S. B. 1	79
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
Elections Code Committee, appropriation to (H. R. 44)	114
holidays for employees of State institutions, re (H. R. 43)	113
Miller, Alvin W., sympathy on passing of (H. R. 29)	61
war bonds, urging purchase of (H. R. 36)	66
MINUTE CLERK. See QUEALE, C. WILLIAM.	
MITCHELL, BROTHER MARK. Extended privilege of floor	84
MOFFAT, PVT. WILLIAM S. Extended privilege of floor	119
MOFFETT, DONALD. Extended privilege of floor	84
MOGLE, FRANK. Extended privilege of floor	55
MONT LA SALLE HIGH SCHOOL AND NOVITIATE. Teachers and students of, extended privilege of floor	84
MOODY, NADINE M. Extended privilege of floor	118
MOORE, GEORGE H. Communication from, re deposit of money from sale of publications	38
MOORE, LT. ALFRED. Extended privilege of floor	118
MORAN, MR. Extended privilege of floor	84
MORRIS, CLARENCE W. Extended privilege of floor	84
MORRISON, C. M. Communication from, enclosing Pennsylvania J. R. 6	19
MOTOR VEHICLE TRANSPORTATION LICENSE TAX LAW. Resolution requesting liberal interpretation of (H. R. 62), introduced, adopted	160
MURPHY, BROTHER GABRIEL. Extended privilege of floor	84
MURPHY, DANIEL. Communication of appreciation for resolution of sympathy on death of	14

N

NAVY DEPARTMENT

Communication from, re naming of frigate—	
“Long Beach”	16
“San Pedro”	16
NIEHOUSE, KATHRYN T.	
Appointed member, Select Committee to notify Governor of Assembly organization	4
Moves to dispense with reading of Journal	88
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
war bonds, urging purchase of (H. R. 36)	66
NIELSON, ANDREW. Extended privilege of floor	163
NOLAN, JOSEPH F. Notification of election of, as Senate Sergeant-at-Arms	29
NORDSKOG, ANDRAE B.	
Communication from, re election-Soldier vote	49
from committee: Be printed in Journal	48
presented by Mr. Allen, to committee	30
Extended privilege of floor	35
NOURSE, DOROTHY C. Communication from, appreciation for resolution of sympathy	15

O

O'BRYAN, HENRY D. Extended privilege of floor	118
O'DAY, EDWARD F.	
Expresses thanks of Judge Pacht to Assembly	98
Explanation of vote, A. B. 3	117

O'DAY, EDWARD F.—Continued	PAGE
Moves to print remarks by Mr. Johnson in Journal	144
Requests unanimous consent, consider A. C. R. 9	67
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
International Longshoremen's and Warehousemen's Union, commending	
(H. R. 55)	137
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)	26
war bonds, urging purchase of (H. R. 36)	66
OFFICE OF PRICE ADMINISTRATION. Resolution requesting, to include	
storage costs in ceiling price on hay (H. R. 51), introduced, 134;	
adopted	135
OGG, WILKIE	
Appointed Sergeant-at-Arms (H. R. 17)	39
Named Sergeant-at-Arms (H. R. 1)	3
Oath of office by	3
Present, convening of session	1
Stricken from roll (H. R. 50)	134
OHNIMUS, ARTHUR A.	
Announces officers of 55th (Regular) Session present	1
Appointed Chief Clerk (H. R. 17)	39
Calls 55th (3d Extra.) Session to order	1
calls roll of Assemblymen	1
Joint Convention	20
Contingent expenses—	
resolution authorizing payment of—	
bills, itemized (H. R. 9), introduced, adopted	8
incidental expenses, Chief Clerk's Office (H. R. 8), introduced, adopted	7
closing of session (H. R. 49), introduced, adopted	133
resolution authorizing purchase—	
of codes, etc. (H. R. 25), introduced, to committee	52
of postage stamps for members (H. R. 27), introduced, adopted	55
of stationery and supplies (H. R. 7), introduced, adopted	7
Instructed to have Election Calendars printed	138
Named Chief Clerk (H. R. 1)	3
Oath of office by	3
Present, convening of session	1
Presents communication—	
from Agriculture, U. S. Department of, re disposition of Japanese evacuees'	
farm equipment	16
from Bancroft-Whitney Co., re price on revised editions of codes	12
from California Pensioner's Union 1 of Santa Cruz, re interpretation of Sec.	
2008.5, W. & I. Code	18
from Camp, Chas. L., appreciation for resolution of sympathy	14
from Connor Mary, acknowledging receipt of resolution—	
congratulating former California Governors on birthdays	13
wishing Senator Johnson speedy recovery from illness	12
from Davis, Chester C., re Jesse R. Tapp (Reg. Sess. A. J. Rs. 44 and 45)	15
from Dillon, Richard J., appreciation for resolution of sympathy	14
from Felt, Dudley P., re hearing aid devices	17
from Fugitt, Ed., re opening Sheepy Lake area to hunting	15
from Gabrielson, Ira N., re Reg. Sess. H. R. 296 (additional gas for deer	
hunting)	15
from Golden Rule Foundation	18
from Harding, D. E., re Reg. Sess. A.B. 600	18
from Hyatt, Edward, re State Engineer's reports	18, 19
from Illinois, State of, enclosing resolution	18
from Johnson, Hiram W., expressing appreciation for resolution—	
extending birthday congratulations to former Governors	13
wishing him a speedy recovery from illness	12
from Legislative Counsel. See WOOD, FRED B.	
from Lyon, Charles W., re appointment of committee to attend funeral of	
Eleanor Miller	12
from Manning, Anna E., appreciation for resolution of sympathy	14
from Martinez, Elsie, appreciation for resolution of sympathy	19
from Moore, George H., re money derived from sale of documents	38
from Navy Department, re naming frigate—	
"Long Beach"	16
"San Pedro"	16
from Nourse, Dorothy C., appreciation for resolution of sympathy	15
from Pennsylvania, Commonwealth of, enclosing J. R. 6	19
from Sacramento Chamber of Commerce, appreciation for Reg. Sess. H. R. 94	17
from St. Vincent's School for Boys, appreciation for resolution of sympathy	
on passing of Monsignor McElroy	14

OHNIUS, ARTHUR A. Continued

Presents communication—continued	Page
from San Pedro Junior Chamber of Commerce, re naming of frigate San Pedro	16
from Stiggins, Verne, re plans for sponsorship of 13th Armored Division	13
from Six County Council of Townsend Clubs, appreciation to members for work in behalf of senior citizens	18
from Smith, Grace O., expressing appreciation for resolution of sympathy	12
from State, Department of, acknowledging receipt of Reg. Sess. H. R. 232	18
from Stephens, Wm. D., expressing appreciation for resolution extending birthday congratulations to former Governors	13
from Tapp, Jesse W., appreciation for Regular Session A. J. R. 44	16
from Walton, E. E., re freedom of rights for colored people	20
from War Production Board—	
re hearing aid devices	17
re Reg. Sess. A. J. R. 46 (repair shops dealing with agricultural machinery)	18
from Woman's Club of Burbank, re juvenile delinquency	18
from Wood, Fred R., opinion re vote required on proposed legislation	29
from Young, C. C., expressing appreciation for resolution extending birthday congratulations to former Governors	13
Presides over Assembly	1
Resolution requesting Chairman of Interim Committees to notify, of public meetings (H. R. 45), introduced, adopted	115
Secretary to, appointed (H. R. 17)	39
Senate notified of election of, as Chief Clerk (H. R. 2)	4
OHNIUS, BERNICE AND ARTHUR A. Resolution congratulating, on marriage (H. R. 13), introduced, adopted	26
OLD AGE PENSION ADVOCATES AND PROMOTERS, INTERIM COMMITTEE ON. Opinion of Legislative Counsel re	58
O'LEARY, BROTHUR ANTHONY. Extended privilege of floor	84
O'NEAL, R. L.	
Communication from, re "controlled" real estate insurance	48
from committee: Be printed in Journal	48
presented by Mr. Thomas, to committee	30
OPINIONS OF LEGISLATIVE COUNSEL. See Wood, Fred R.	
"OUR CHRISTMAS TREE." Poem by Richard Desmond	34

P

PACHT, JUDGE. Thanks of, to Assembly	98
PACHT, JUDGE AND MRS. ISAAC. Extended privilege of floor	36
PAINTER, CHARLES. Extended privilege of floor	163
PARKMAN, SENATOR HARRY L. Member of Senate Committee to notify Assembly, Senate ready to adjourn sine die	161
PASSADORE, ANN. Extended privilege of floor	163
PAULICCI, JOSEPH W. Communication from, re bills sponsored by both Assemblyman and Senator	10, 11
PELLETIER, JOHN R.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)	125
county relief clients, re including problem in future call (H. R. 38)	96
PENAL SYSTEM REFORM, SPECIAL COMMITTEE ON. Resolution creating (H. R. 12), introduced, adopted	25
PENNSYLVANIA, COMMONWEALTH OF. Communication from Secretary of State, enclosing J. R. 6	19
PERKISS, K. Communication from, appreciation to members for work in behalf of senior citizens	18
PERSONNEL BOARD. Resolution requesting, investigate holidays for employees in State institutions (H. R. 43), introduced, 113; adopted	115
PETITIONS. From Jalomek, Margaret Wood, re horse slaughtering plants in California	20
PHAEIX, JACK. Extended privilege of floor	84
PIUS, BROTHUR. Extended privilege of floor	84
PLEDGE, HOME FRONT. Resolution urging support of (H. R. 46), introduced, to committee, 115; from committee. Be adopted, 141; adopted	142
POEM. By Richard Desmond	34
POINT OF ORDER	
By Mr. Collins, George D.	77
ruling by Speaker	77
POMONA VALLEY LEAGUE OF WOMEN VOTERS. Communication from, re prison control legislation	88
POTTER, FRANKLIN J. Changes in Interim Committees, vice resignation of	30
Communication from, best wishes to members	88
Resignation of, from Interim Committees, vacancies filled	30

PRAYER	PAGE
Offered by Chaplain of 55th (Regular) Session.....	1
Offered by Chaplain.....	37, 121
Offered by Mr. Middough.....	57, 88
PRESIDENT AND VICE PRESIDENT. Resolution re election of, by direct vote (H. R. 34), introduced, 63; from committee without further action	162
PRESS REPRESENTATIVES. Resolution recognizing (H. R. 6), introduced, adopted.....	6
PRICE, R. FRED. Resolution by, urging purchase of war bonds (H. R. 36)....	66
PRINGLE, HOWARD A. Communication from, re Reg. Sess. A. J. R. 2 (hearing aid devices).....	17
PRINTER, STATE. See MOORE, GEORGE H.	
PRISON DIRECTORS, STATE BOARD OF. Governor's appointment of member to.....	46
PROCLAMATION. Convening Legislature in extraordinary session.....	2
PUBLIC MORALS, INTERIM COMMITTEE ON. Letter re meeting of.....	64

Q

QUEALE, C. WILLIAM	
Appointed Minute Clerk (H. R. 17).....	39
Named Minute Clerk (H. R. 1).....	3
Oath of office by.....	3
Present, convening of session.....	1
Senate notified of election of, as Minute Clerk (H. R. 2).....	4

R

RAILROADS AND PERSONNEL. Resolution commending (H. R. 31), introduced, 62; from committee: Be adopted, 80; adopted.....	82
RAYNS, FRANK	
Addresses Assembly.....	9
Extended privilege of floor.....	35
REAL ESTATE INSURANCE. Communication re "controlled".....	48
RECESS	
Hear remarks by Rayns, Frank, of Norwich, England.....	9
Meet with Senate in Joint Convention.....	20
REDWINE, KENT. Appointed to attend funeral of Miller, Eleanor.....	12
REICHSMAN, LAWRENCE. Extended privilege of floor.....	84
RESOLUTIONS, HOUSE	
Aged persons, re relaxing rules governing boarding and rooming of (H. R. 21), introduced, 41; withdrawn, and re-referred to G. E. & E., 101; from committee without further action.....	162
Archives, re adequate protection for (H. R. 39), introduced, 96; from committee: Be adopted, 124; adopted.....	126
Armed forces—	
absentee ballots for, memorializing Congress to provide for delivery, etc., of (H. R. 47), introduced, 125; from committee: Be adopted, 127; adopted.....	128
simplified ballot for, memorializing Congress to provide (H. R. 24), introduced, 52; from committee without further action.....	162
voting by, memorializing Congress to permit (H. R. 16), introduced, 32; from committee without further action.....	162
waivers of compensation by, memorializing Congress re (H. R. 57), introduced, adopted.....	138
Attaches—	
appointment of (H. R. 17), introduced, adopted.....	39
stricken from roll (H. R. 50), introduced, adopted.....	134
Baker, Carl C., in memory of (H. R. 52), introduced, adopted.....	134
Baker, Thomas A., in memory of (H. R. 22), introduced, adopted.....	41
Bennett, Esther, congratulating (H. R. 54), introduced, adopted.....	136
Bowers, George B., in memory of (H. R. 32), introduced, adopted.....	62
Boy Scouts, commending (H. R. 41), introduced, adopted.....	108
Burns, Emma May, in memory of (H. R. 19), introduced, adopted.....	40
Child Care Program, re special session on (H. R. 23), introduced, 44; motion to withdraw from committee lost, 114; from committee without further action.....	162
Clarke, Robert M., in memory of (H. R. 14), introduced, adopted.....	30
Codes, etc., purchase of (H. R. 25), introduced, 52; from committee: Adopt substitute resolution, 91; substitute resolution adopted.....	97
Contingent expenses—	
bills, itemized (H. R. 9), introduced, adopted.....	8
codes, etc. (H. R. 25), introduced, 52; from committee: Adopt substitute resolution, 91; substitute resolution adopted.....	97
incidental expenses, Chief Clerk's Office (H. R. 8), introduced, adopted.....	7

RESOLUTIONS, HOUSE—Continued	PAGE
Wild fowl shooting season, re extension of (H. R. 48), introduced, 131; from committee: Adopt substitute resolution, 136; substitute resolution adopted.....	136, 137
Wives of Assemblymen made guests of Assembly (H. R. 60), introduced, adopted.....	145
RICHARDSON, FRIEND W. Adjournment, respect to memory of.....	36, 56
ROAN, P.F.C. JOHN R. Extended privilege of floor.....	119
ROBERT, PVT. GEORGE. Extended privilege of floor.....	119
ROBERTS, FREDERICK M. Communication from, re Governor Warren.....	33
ROBERTSON, ALFRED W.	
Appointed member—	
Select Committee to notify Governor of Assembly organization.....	4
Special Committee to study possibilities of bills being sponsored by both Assemblyman and Senator.....	53
Presents communication from Roberts, Frederick M.....	33
Requests unanimous consent, consider S. C. R. 5.....	64
Resolution by—	
authorizing purchase of Deering's Codes, Larmac 1943 Indexes, and Attorney General's Opinions for members (H. R. 25).....	52
county relief clients, re including problem in future call (H. R. 38).....	96
Elections Code Committee, appropriation to (H. R. 44).....	114
Mexico and agricultural workers of, commending (H. R. 30).....	61
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13).....	26
Substitute resolution by (H. R. 25).....	97
ROBILLARD, JAMES. Extended privilege of floor.....	84
ROCHESTER, GEORGE R. Extended privilege of floor.....	84
ROMAYKI, J. J. Extended privilege of floor.....	119
ROSENTHAL, WILLIAM H.	
Demands previous question, amendments to S. B. 1.....	79
Requests unanimous consent, consider—	
H. R. 41, 109; H. R. 60.....	146
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47).....	125
Bennett, Esther, congratulating (H. R. 54).....	136
Boy Scouts of America, commending (H. R. 41).....	108
war bonds, urging purchase of (H. R. 36).....	66
wives of members, making, guests of Assembly.....	145
ROSSI, JACK. Appreciation to.....	143
RULES AND HOUSE FUNCTIONS, STANDING COMMITTEE ON	
Appreciation to.....	141
Recommends communications presented by Messrs. Thomas and Allen be printed in Journal.....	48
RULES, STANDING	
Adopted (H. R. 4).....	4
Motion to suspend, and withdraw from committee—	
A. B. 6, 81; S. B. 1, 72; S. C. A. 2.....	83
Rule 53 suspended, consider amendments to S. B. 1 without division.....	77
Rule 99 suspended during Joint Convention.....	21
RYPDAHL, ARTHUR. Communication from, re naming of frigate San Pedro.....	16
S	
SACRAMENTO CHAMBER OF COMMERCE. Communication from, appreciation for Reg. Sess. H. R. 94.....	17
ST. VINCENT'S SCHOOL FOR BOYS. Communication from, appreciation for resolution of sympathy on passing of Monsignor Francis P. McElroy.....	14
SALSMAN, SENATOR BYRL R. Member of Senate Committee to notify Assembly of Senate organization.....	7
SAN PEDRO	
Communication from Navy Department announcing frigate has been named.....	16
Communication from San Pedro Junior Chamber of Commerce re naming of frigate.....	16
SAN PEDRO JUNIOR CHAMBER OF COMMERCE. Communication from, re naming of frigate San Pedro.....	16
SARGENT, WILLIS. Communication from.....	30
SAVAGE, HAROLD E.	
Communication from, re "controlled" real estate insurance.....	48
from committee: Be printed in Journal.....	48
presented by Mr. Thomas, to committee.....	30
SAWALLISCH, HAROLD F.	
Explanation of vote, A. B. 1.....	131
Letter re meeting of Committee on Public Morals.....	64
Moves to print letter re meeting of Public Morals Committee in Journal.....	64

SAWALLISCH, HAROLD F.—Continued	PAGE
Requests unanimous consent, consider A. J. R. 11	68
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
war bonds, urging purchase of (H. R. 36)	66
SCOGGINS, VERNE. Communication from, re plans for California's sponsorship	
ship of 13th Armored Division	13
SCORDO, JOHN J. Extended privilege of floor	119
SCHUMACHER, HAZEL. Extended privilege of floor	163
SCULLY, TIMOTHY. Extended privilege of floor	84
SEAWELL, SENATOR JERROLD L.	
Appointed member, Senate Committee to escort Governor to Joint Convention	20
Assembly notified of election of, as President pro tempore of Senate	29
SENATE	
Bills. See TABLE OF ACTIONS ON.	
Committee from, to notify Assembly—	
Senate organization	7
Senate ready to adjourn sine die	161
Committee to escort Governor to Joint Convention appointed	20
Measures. See TABLE OF ACTIONS ON.	
Notifies Assembly of Senate organization and election of officers	29
Select Committee to inform—	
Assembly organization (H. R. 2)—	
appointed	4
report of	8
Assembly ready to adjourn sine die (H. R. 63)—	
appointed	160
report of	161
SERGEANT-AT-ARMS. See OEG, WILKIE.	
SHAFFER, J. C. Extended privilege of floor	36
SHERIDAN, BERNARD A.	
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47)	125
Industrial Accident Commission, investigate procedure of (H. R. 58)	139
war bonds, urging purchase of (H. R. 36)	66
Youth Authority, requesting, establish facilities for juvenile delinquents	
(H. R. 59)	139
SHERIDAN, BRIDGET	
Adjournment, respect to memory of	56
Resolution of sympathy on passing of (H. R. 26), introduced, adopted	54
SHOCKLEY, ANNETTE. Extended privilege of floor	163
SILVA, DOLORES. Extended privilege of floor	84
SIMS, DOROTHY	
Appointed Assistant Minute Clerk (H. R. 17)	39
Stricken from roll (H. R. 50)	134
SIX COUNTY COUNCIL OF TOWNSEND CLUBS. Communication from,	
appreciation to members for work done in behalf of senior citizens	18
SMITH, CAPTAIN WILLIAM. Extended privilege of floor	163
SMITH, DOLLY	
Appointed Secretary to Chief Clerk (H. R. 17)	39
Stricken from roll (H. R. 50)	134
SMITH, E. E. Extended privilege of floor	35
SMITH, GRACE O. Communication from, appreciation for resolution of sym-	
pathy	12
SMITH, JUDGE HUGH L. Communication of appreciation for resolution of	
sympathy on passing of	12
SNIDER, JANET. Extended privilege of floor	85
SNIDER, JERRY. Extended privilege of floor	85
SNOOK, CHARLES. Extended privilege of floor	84
SNOOK, LEO. Extended privilege of floor	84
SOCIAL WELFARE, DIRECTOR OF DEPARTMENT OF. Governor's	
appointment of	46
SOCIAL WELFARE, STATE DEPARTMENT OF. Resolution requesting,	
to relax rules re boarding and rooming of aged persons (H. R. 21),	
introduced, to committee	41
SOLDIERS, VOTING BY. See VOTING BY ARMED FORCES.	
SPEAKER. See LYON, CHARLES W.	
SPEAKER PRO TEMPORE. See MALONEY, THOMAS A.	
SPEAKERS, FORMER. Resolution providing for placement of pictures of, in	
frame (H. R. 11), introduced, adopted, 8; committee appointed	54
SPILLANE, TERRANCE. Extended privilege of floor	84
STANDING COMMITTEES. Appointed	9

	PAGE
STANDING RULES. Adopted (H. R. 4)-----	4
STATE, DEPARTMENT OF. Communication from, re Reg. Sess. H. R. 232 (press restrictions, United Nations Conference on Food and Agriculture)-----	18
STATE ENGINEER'S REPORTS. Communication from Hyatt, Edward, re-----	18, 19
STATEMENT. By Kraft, Frederick H., re H. R. 40-----	137
STEIN, BOB. Extended privilege of floor-----	163
STEPHENS, WM. D. Communication from, appreciation for resolution of birthday congratulations to former Governors-----	13
STOCKTON HIGH SCHOOL. Students and teacher of, extended privilege of floor-----	163
STOERMER, GRACE. Extended privilege of floor-----	35
STOPPER, BROTHER PAUL. Extended privilege of floor-----	84
STREAM, CHARLES W. Appointed member, Select Committee to notify Senate of Assembly organization Requests unanimous consent, consider H. R. 2-----	4 4
Resolution by— absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
commending Members of Assembly serving in armed forces (H. R. 10)-----	8
inform Senate of Assembly organization (H. R. 4)-----	4
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)-----	26
war bonds, urging purchase of (H. R. 36)-----	66
SUBSTITUTE RESOLUTION H. R. 25-----	97
H. R. 48-----	137
SWITZER, PVT. RICHARD H. Extended privilege of floor-----	119
T	
TAPP, JESSE W. Communication from, appreciation for Regular Session A. J. R. 44-----	16
Communication from Davis, Chester C., relative to-----	15
THOMAS, VINCENT Communication from Harbor District Association of Insurance Agents-----	48
from committee: Be printed in Journal-----	48
presented, to committee-----	30
Presents communication from Harbor District Association of Insurance Agents-----	30
Requests unanimous consent, consider— A. C. R. 8, 39; H. R. 15-----	31
Resolution by— absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
archives, re storage of State (H. R. 39)-----	96
Federal Absentee Voters Law, urging enactment of (H. R. 35)-----	65
McGinley, Frank, sympathy on passing of (H. R. 15)-----	31
THOMPSON, H. MCKINLEY. Extended privilege of floor-----	163
THOMPSON, JOHN F. Appointed member, Select Committee to inform Senate, Assembly ready to adjourn sine die (H. R. 63)-----	160
Requests unanimous consent, consider— H. R. 29, 61; H. R. 43-----	114
Resolution by— absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)-----	134
holidays for employees of State institutions, re (H. R. 43)-----	113
Miller, Alvin W., sympathy on passing of (H. R. 29)-----	61
war bonds, urging purchase of (H. R. 36)-----	66
THORP, JAMES E. Resolution by— absentee ballots, memorializing Congress to provide for delivery, etc., of, to armed forces (H. R. 47)-----	125
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51)-----	134
Ohnimus, Bernice and Arthur A., congratulating (H. R. 13)-----	26
THURMAN, ALLEN G. Moves to print remarks by Mr. Wollenberg in Journal-----	144
TRILLINGHAM, DR. C. C. Extended privilege of floor-----	84

U

ULLRICH, PAUL. Extended privilege of floor-----	36
UNEMPLOYMENT INSURANCE APPEALS BOARD. Governor's appoint- ments to-----	46

V

	PAGE
VOGEL, EARL. Extended privilege of floor	84
VOTE, EXPLANATION OF	
By Messrs. O'Day, Collins, George D., and Haggerty, A. B. 3	117
By Mr. Collins, George D., S. B. 1	90
By Mr. Gaffney, A. B. 3	131
By Mr. Heisinger, S. B. 1	90
By Mr. Kilpatrick, amendments to S. B. 1, 78; S. B. 1	90
By Mr. Sawallisch, A. B. 1	131

VOTE REQUIRED ON PROPOSED MEASURES. Opinion of Legislative Counsel	29
--	----

VOTING BY ARMED FORCES

Communication re	33
Resolution memorializing Congress—	
enact Federal Absentee Voters Law (H. R. 35), introduced, 65; from committee without further action	162
provide for (H. R. 16), introduced, 32; from committee without further action	162
provide for delivery, etc., of ballots for (H. R. 47), introduced, 125; from committee: Be adopted, 127; adopted	128
provide simplified ballot for (H. R. 24), introduced, 52; from committee without further action	162

W

WALLACE, ALBERTA. Extended privilege of floor	163
WALLEN, LT. COL. JOHN VICTOR. Resolution of sympathy on passing of (H. R. 56), introduced, adopted	137
WALLERSTEIN, DR. OTTO. Extended privilege of floor	35
WALLERSTEIN, MRS. ILSE. Extended privilege of floor	35
WALTON, E. E. Communication from, re freedom of rights for colored people	20
WAR BONDS. Resolution urging purchase of, to avenge Japanese atrocities (H. R. 36), introduced, adopted	66
WAR FOOD ADMINISTRATION. Communications from	15, 16
WAR POWERS PROCLAMATIONS	150
WAR PRODUCTION BOARD	
Communication from—	
re Reg. Sess. A. J. R. 2 (hearing aid devices)	17
re Reg. Sess. A. J. R. 46 (repair shops dealing with agricultural machinery)	18
Resolution requesting, make ammunition available for protection against water-fowl crop destruction (H. R. 61), introduced, adopted	146
WARREN, DOROTHY. Extended privilege of floor	118
WARREN, EARL	
Addresses Joint Convention	21
Appointment of committee to escort, to Joint Convention—	
Assembly	21
Senate	20
Communication from—	
appointments made pursuant to Sec. 1000, Pol. Code	44
Proclamation convening Legislature in special session	2
Communication from Roberts, Frederick M., relative to	33
Message from, transmitting War Powers Proclamations 1-6	150
Motion to print remarks by, in Journal	25
Presented to Joint Convention	21
Proclamation by, convening 55th (3d Extra.) Session	1
Resolution requesting, call special session, consider Child Care Program (H. R. 23), introduced, 44; motion to withdraw from committee lost, 114; from committee without further action	162
Resolution requesting, include in future call, problem of—	
county relief clients, adequate assistance to (H. R. 38), introduced, 96; from committee without further action	162
storage for State archives (H. R. 39), introduced, 96; from committee: Be adopted, 124; adopted	126
Select Committee to notify—	
Assembly has organized (H. R. 3), appointed, 4; report of	7
Assembly ready to adjourn sine die (H. R. 64), appointed, 160; report of	161
WARREN, LEORA. Extended privilege of floor	163
WARREN, MRS. EARL. Extended privilege of floor	118
WATERFOWL. Resolution re ammunition to prevent destruction of crops by (H. R. 61), introduced, adopted	146
WATERS, FRANK J.	
Appointed member, Interim Committee on Governmental Efficiency and Economy	30
Demands previous question, H. R. 36	67

WATERS, FRANK J.—Continued	PAGE
Resolution by—	
archives, re storage of State (H. R. 39).....	96
authorizing purchase of Deering's Codes, etc., for members (H. R. 25).....	52
Clarke, Robert M., sympathy on passing of (H. R. 14).....	30
employees of State institutions, re holidays for (H. R. 43).....	113
Industrial Accident Commission, investigate procedure of (H. R. 58).....	139
Substitute resolution by (H. R. 25).....	97
WATSON, CLYDE A.	
Demands previous question, H. R. 36.....	67
requests unanimous consent, consider H. R. 61.....	146
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
hay, memorializing OPA to include storage costs in ceiling price for (H. R. 51).....	134
waterfowl, re ammunition to prevent destruction of crops by (H. R. 61).....	146
wild fowl shooting season, memorializing Federal Government to extend	
(H. R. 48).....	131
Substitute resolution by (H. R. 48).....	137
WEBER, ARTHUR A.	
Adjournment, respect to memory of.....	56
Resolution of sympathy on passing of (H. R. 18) introduced, adopted.....	40
WEBER, CHARLES M.	
Appointed member—	
Select Committee to notify Senate, Assembly ready to adjourn sine die	
(H. R. 64).....	161
Special Committee—	
arrange for placement of pictures of former Speakers in frame (H. R. 11).....	54
further study possibilities of bills being sponsored by both Assemblyman	
and Senator.....	53
Requests unanimous consent, consider S. C. R. 2.....	47
WEBSTER, LT. CHAS. A. Extended privilege of floor.....	118
WEINSTOCK, SIDNEY L.	
Communication from, opinion of Legislative Counsel—	
re additional appropriation to Election's Code Committee.....	128
re appropriation to Interim Committee of prior session.....	53
re correcting error in prior resolution creating Interim Committee.....	58
WERDEL, THOMAS HAROLD	
Requests unanimous consent, consider H. R. 22.....	41
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
authorizing purchase of Deering's Codes, etc., for members (H. R. 25).....	52
Baker, Thomas A., sympathy on passing of (H. R. 22).....	41
war bonds, urging purchase of (H. R. 36).....	66
Substitute resolution by (H. R. 25).....	97
WEST, SHERIFF. Extended privilege of floor.....	36
WEYBRET, FRED	
Requests unanimous consent, consider—	
A. C. R. 2, 43; H. R. 30.....	62
Resolution by—	
Mexico and agricultural workers of, commending (H. R. 30).....	61
war bonds, urging purchase of (H. R. 36).....	66
WHALLEY, JOSEPH. Extended privilege of floor.....	84
WHITLOCK, FRANK L. Extended privilege of floor.....	55
WILD FOWL SHOOTING SEASON. Resolution memorializing Federal Govern-	
ment to extend (H. R. 48), introduced, 131; from committee:	
Adopt substitute resolution, 136; substitute resolution adopted.....	137
WINTERS, ETHEL. Extended privilege of floor.....	163
WIVES OF MEMBERS. Resolution making, guests of Assembly (H. R. 60),	
introduced, adopted.....	145
WOLLENBERG, ALBERT C.	
Moves to suspend Rules, consider amendments to S. B. 1, without division.....	77
Presides over Assembly.....	74
Remarks by, re Mr. Maloney.....	144
Resolution by—	
absentee ballots, memorializing Congress to provide for delivery, etc., of, to	
armed forces (H. R. 47).....	125
war bonds, urging purchase of (H. R. 36).....	66
WOLLENBERG, MR. AND MRS. CHARLES. Extended privilege of floor.....	118
WOMAN'S CLUB OF BURBANK. Communication from, re juvenile delin-	
quency.....	18

	PAGE
WOLFF, CPL. PHILIP. Extended privilege of floor-----	119
WOOD, FRED B.	
Opinion of—	
re additional appropriation to Elections Code Committee-----	128
re appropriation to Interim Committee of prior session-----	53
re bills sponsored by both Assemblyman and Senator-----	10, 11
re correcting error in prior resolution creating Interim Committee-----	58
re reimbursable expenses of members of Interim Committees-----	9
re vote required on proposed legislation-----	29
WRIGHT, FRANK M. Extended privilege of floor-----	84

Y

YOUNG, C. C. Communication from, appreciation for resolution of birthday congratulations to former Governors-----	13
YOUNG, LT. LUTHER H., JR. Extended privilege of floor-----	118
YOUTH AUTHORITY	
Governor's appointment to-----	47
Resolution requesting, establish facilities for juvenile delinquents (H. R. 59). introduced, adopted -----	139

Z

ZEIGMEIER, JULE. Extended privilege of floor-----	84
---	----

TABLE OF ACTIONS ON ASSEMBLY MEASURES

ASSEMBLY BILLS

No.		PAGE
1	Presented, to Counsel Bureau, 26; from Counsel Bureau, read first time, 27; from committee without recommendation, 60; read second time, 71; Senate Bill No. 1 substituted-----	72
2	Presented, to Counsel Bureau, 26; from Counsel Bureau, read first time, 27; from committee without further action-----	162
3	Presented, to Counsel Bureau, 26; from Counsel Bureau, read first time, 27; from committee: Do pass, as amended, read second time, amended, 101; reported correctly engrossed, 115; Constitution suspended, read second time, considered engrossed, urgency clause adopted, read third time, passed, to Senate, 116; explanations of vote, 117, 131; passed by Senate, with amendments, amendments concurred in, 146; reported correctly enrolled, to Governor, 161; approved by Governor, Chap. 1-----	185
4	Presented, to Counsel Bureau, from Counsel Bureau, read first time, 58; from committee without further action-----	162
5	Presented, to Counsel Bureau, 58; from Counsel Bureau, read first time, 59; from committee without further action-----	162
6	Presented, to Counsel Bureau, 58; from Counsel Bureau, read first time, 59; Rules suspended, withdrawn from committee, Constitution suspended, 81; read second time, considered engrossed, read third time, passed, to Senate, 82; passed by Senate, with amendments, 147; amendments concurred in, 148; reported correctly enrolled, to Governor, 162; approved by Governor, Chap. 5-----	185
7	Presented, to Counsel Bureau, 67; from Counsel Bureau, read first time, without reference to committee, 68; Constitution suspended, read second time, considered engrossed, read third time, passed, to Senate, 99; passed by Senate, 111; reported correctly enrolled, to Governor, 132; approved by Governor, Chap. 4-----	185
8	Presented, to Counsel Bureau, from Counsel Bureau, read first time, 80; from committee without further action-----	162

ASSEMBLY CONCURRENT RESOLUTIONS

1	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, without reference to committee, 28; considered without reference to file, considered engrossed, 43; adopted, to Senate, 44; adopted in Senate, 60; reported correctly enrolled, to Governor, 92; filed with Secretary of State, Res. Chap. 1-----	185
2	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, without reference to committee, 28; considered without reference to file, considered engrossed, adopted, to Senate, 43; adopted in Senate, 60; reported correctly enrolled, to Governor, 92; filed with Secretary of State, Res. Chap. 2-----	185
3	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, without reference to committee, 28; considered without reference to file, considered engrossed, adopted, to Senate, 43; adopted in Senate, 60; reported correctly enrolled, to Governor, 92; filed with Secretary of State, Res. Chap. 3-----	185
4	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, without reference to committee, 28; died on file-----	184
5	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, 28; from committee without further action-----	162
6	Presented, to Counsel Bureau, from Counsel Bureau, introduced, considered without reference to committee, considered engrossed, adopted, to Senate, 31; remarks by Mr. Dilworth, 32; adopted in Senate, 47; reported correctly enrolled, to Governor, 92; filed with Secretary of State, Res. Chap. 4-----	185
7	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, considered without reference to committee, considered engrossed, adopted, to Senate, 35; stricken from file in Senate-----	162
8	Presented, to Counsel Bureau, 38; from Counsel Bureau, introduced, considered without reference to committee, considered engrossed, adopted, to Senate, 39; adopted in Senate, 60; reported correctly enrolled, to Governor, 92; filed with Secretary of State, Res. Chap. 5-----	185
9	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 65; considered without reference to committee, considered engrossed, adopted, to Senate, 67; adopted in Senate, 111; reported correctly enrolled, to Governor, 132; filed with Secretary of State, Res. Chap. 9-----	185
10	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 65; from committee: Be adopted, 91; reported correctly engrossed, 96; adopted, to Senate, 98; adopted in Senate, 143; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 21-----	185
11	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 74; from committee without further action-----	162
12	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 110; from committee: Be adopted, adopted, to Senate, 131; adopted in Senate, 143; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 22-----	185

ASSEMBLY CONSTITUTIONAL AMENDMENTS

No.		PAGE
1	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 58; from committee without further action-----	162
2	Presented, to Counsel Bureau, from Counsel Bureau, introduced, without reference to committee, 74; considered without reference to file, considered engrossed, adopted, to Senate, 93; stricken from file in Senate-----	162
3	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 80; from committee without further action-----	162

ASSEMBLY JOINT RESOLUTIONS

1	Presented, to Counsel Bureau, 26; from Counsel Bureau, introduced, 28; from committee: Be adopted, 42; reported correctly engrossed, 55; adopted, to Senate, 70; adopted in Senate, 92; reported correctly enrolled, to Governor, 133; filed with Secretary of State, Res. Chap. 10-----	186
2	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 38; from committee: Be adopted, reported correctly engrossed, 59; adopted, to Senate, 70; adopted in Senate, with amendments, amendments concurred in, 148; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 23-----	186
3	Presented, to Counsel Bureau, 38; from Counsel Bureau, introduced, 39; from committee without further action-----	162
4	Presented, to Counsel Bureau, 38; from Counsel Bureau, introduced, 39; from committee without further action-----	162
5	Presented, to Counsel Bureau, 38; from Counsel Bureau, introduced, 39; from committee: Be adopted, as amended, amendments adopted, 112; reported correctly engrossed, 122; adopted, to Senate, 123; adopted in Senate, 132; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 24-----	186
6	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 54; from committee: Be adopted, 116; reported correctly engrossed, 122; read, call of Assembly, 124; call of Assembly dispensed with, adopted, to Senate, 125; stricken from file in Senate-----	162
7	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 54; from committee: Be adopted, reported correctly engrossed, 59; adopted, to Senate, 70; adopted in Senate, 107; reported correctly enrolled, to Governor, 132; filed with Secretary of State, Res. Chap. 11-----	186
8	Presented, to Counsel Bureau, 58; from Counsel Bureau, introduced, 59; from committee without further action-----	162
9	Presented, to Counsel Bureau, 58; from Counsel Bureau, introduced, 59; from committee without further action-----	162
10	Presented, to Counsel Bureau, 67; from Counsel Bureau, introduced, 68; from committee: Be adopted, 91; reported correctly engrossed, 96; adopted, to Senate, 109; from Senate without further action-----	163
11	Presented, to Counsel Bureau, 67; from Counsel Bureau, introduced, considered without reference to committee, considered engrossed, adopted, to Senate, 68; adopted in Senate, 92; reported correctly enrolled, to Governor, 132; filed with Secretary of State, Res. Chap. 12-----	186
12	Presented, to Counsel Bureau, 67; from Counsel Bureau, introduced, 68; from committee: Be adopted, 91; reported correctly engrossed, 96; adopted, to Senate, 98; adopted in Senate, 111; reported correctly enrolled, to Governor, 132; filed with Secretary of State, Res. Chap. 13-----	186
13	Presented, to Counsel Bureau, 67; from Counsel Bureau, introduced, 68; from committee: Be adopted, 91; reported correctly engrossed, 96; adopted, to Senate, 98; adopted in Senate, 111; reported correctly enrolled, to Governor, 132; filed with Secretary of State, Res. Chap. 14-----	186
14	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 74; from committee: Be adopted, as amended, amendments adopted, 109; reported correctly engrossed, 122; adopted, to Senate, 123; adopted in Senate, 132; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 25-----	186
15	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 74; from committee: Be adopted, 112; reported correctly engrossed, 116; adopted, to Senate, 123; adopted in Senate, 132; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 26-----	186
16	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 80; from committee: Be adopted, 108; reported correctly engrossed, 111; adopted, to Senate, 114; adopted in Senate, 143; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 27-----	186
17	Presented, to Counsel Bureau, from Counsel Bureau, introduced, 92; from committee: Be adopted, 141; reported correctly engrossed, adopted, to Senate, 142; adopted in Senate, 150; reported correctly enrolled, to Governor, 161; filed with Secretary of State, Res. Chap. 28-----	186

HOUSE RESOLUTIONS

No.		PAGE
1	Election of Assembly officers, introduced, adopted.....	3
2	Notify Senate of Assembly organization, introduced, adopted, committee appointed.....	4
3	Notify Governor of Assembly organization, introduced, adopted, committee appointed.....	4
4	Adopts Standing Rules, introduced, adopted.....	4
5	Mileage for members, introduced, adopted.....	5
6	Accredited representatives of the press, introduced, adopted.....	6
7	Authorizing purchase of supplies, introduced, adopted.....	7
8	Authorizing payment of contingent expenses, Chief Clerk's Office, introduced, adopted.....	7
9	Authorizing payment of bills, introduced, adopted.....	8
10	Commending Members of Assembly who have entered armed forces, introduced, adopted.....	8
11	Providing photographs of former Speakers be placed in frame, introduced, adopted, 8; committee appointed.....	54
12	Creating Special Committee on Penal System Reform, introduced, adopted.....	25
13	Congratulating Bernice and Arthur A. Ohnimus, introduced, adopted.....	26
14	Honoring memory of Robert M. Clarke, introduced, adopted.....	30
15	Honoring memory of Frank McGinley, introduced, adopted.....	31
16	Memorializing Congress to permit members of armed forces to vote, introduced, to committee, 32; from committee without further action.....	162
17	Appointment of attaches, introduced, adopted.....	39
18	Honoring memory of Arthur A. Weber, introduced, adopted.....	40
19	Honoring memory of Emma May Burns, introduced, adopted.....	40
20	Relating to the enforcement of Housing Laws, introduced, to committee, 41; withdrawn, and re-referred to G. E. & E., 100; from committee without further action.....	162
21	Requesting relaxation of rules governing boarding and rooming of aged persons, introduced, to committee, 41; withdrawn, and re-referred to G. E. & E., 101; from committee without further action.....	162
22	Honoring memory of Thomas A. Baker, introduced, adopted.....	41
23	Requesting Governor call special session on Child Care Program, introduced, to committee, 44; motion to withdraw from committee lost, 114; from committee without further action.....	162
24	Memorializing Congress to provide simplified ballot for members of armed forces and Merchant Marine, introduced, to committee, 52; from committee without further action.....	162
25	Authorizing purchase of codes, introduced, to committee, 52; from committee: Adopt substitute resolution, 91; substitute resolution adopted.....	97
26	Honoring memory of Mrs. Bridget Sheridan, introduced, adopted.....	54
27	Authorizing purchase of postage stamps for members, introduced, adopted.....	55
28	Mileage for John B. Knight, introduced, adopted.....	61
29	Honoring memory of Alvin W. Miller, introduced, adopted.....	61
30	Expressing appreciation and good will to Mexico and her agricultural workers, introduced, adopted.....	61
31	Commending the railroads and their personnel, introduced, to committee, 62; from committee: Be adopted, 80; adopted.....	82
32	Honoring memory of George B. Bowers, introduced, adopted.....	62
33	Honoring memory of Mrs. Mary Lyons, introduced, adopted.....	63
34	Memorializing Congress to submit to States a constitutional amendment providing direct election of President and Vice President, introduced, to committee, 63; from committee without further action.....	162
35	Memorializing Congress to enact a Federal Absentee Voters Law, introduced, to committee, 65; from committee without further action.....	162
36	Urging purchase of war bonds, introduced, adopted.....	66
37	Authorizing purchase of loud speakers for Assembly Chamber, introduced, to committee, 79; from committee: Be adopted, adopted.....	91
38	Requesting Governor to include subject of sufficient assistance to county relief clients in call for any later special session, introduced, to committee, 96; from committee without further action.....	162
39	Requesting Governor to include subject of adequate protection for archives in call for future special session, introduced, to committee, 96; from committee: Be adopted, 124; adopted.....	126
40	Directing Interim Committee on Governmental Efficiency and Economy to investigate sale of liquor, introduced, to committee, 108; statement by Mr. Kraft, 135; from committee without further action.....	162
41	Commending the Boy Scouts of America, introduced, adopted.....	108
42	Congratulating farmers of California on 1943 record of accomplishments, introduced, adopted.....	112

No.		PAGE
43	Directing Personnel Board study conditions whereby State employees in various institutions fail to receive holidays, introduced, adopted-----	113
44	Appropriation for Elections Code Committee, introduced, to committee, 114; from committee: Be adopted, adopted, 127; opinion of Legislative Counsel -----	128
45	Providing chairmen of Interim Committees shall notify Chief Clerk of dates for public meetings of their committees, introduced, adopted-----	115
46	Urging citizens of California to support and observe pledge to not deal with black markets, introduced, to committee, 115; from committee: Be adopted, 141; adopted-----	142
47	Memorializing Congress to enact necessary legislation concerning absentee ballots, introduced, to committee, 125; from committee: Be adopted, 127; adopted -----	128
48	Memorializing Federal Government, through Department of Interior, to extend shooting season for wild fowl in California, introduced, to committee, 131; from committee: Adopt substitute resolution, 136; substitute resolution adopted-----	136, 137
49	Authorizing Chief Clerk to pay incidental expenses in connection with completion of work, Third Extraordinary Session, introduced, adopted-----	133
50	Striking attaches and employees from pay roll, introduced, adopted-----	134
51	Relating to ceiling price on hay, introduced, held at desk, 134; adopted-----	135
52	Honoring memory of Carl C. Baker, introduced, adopted-----	134
53	Honoring memory of Jack Doyle, introduced, adopted-----	135
54	Congratulating Mrs. Esther Bennett on her birthday, introduced, adopted-----	136
55	Commending Longshoremen's and Warehousemen's Union on the Pacific Coast, introduced, adopted-----	137
56	Honoring memory of Lt. Col. John Victor Wallen, introduced, adopted-----	137
57	Memorializing Congress to nullify waivers and to declare illegal any future waivers of compensation by men of the armed forces, introduced, adopted -----	138
58	Requesting Interim Committee on Governmental Efficiency and Economy to study procedure of Industrial Accident Commission, introduced, adopted-----	139
59	Relating to increased correctional facilities for juvenile delinquents, introduced, adopted -----	139
60	Making Assembly men's wives guests of the Assembly, introduced, adopted-----	145
61	Requesting facilities for protection of farmers against destruction of crops by waterfowl introduced, adopted-----	146
62	Requesting Board of Equalization make liberal interpretation of Section 9651 of the Revenue and Taxation Code and the Motor Vehicle Transportation License Tax Law, introduced, adopted-----	160
63	Notify Senate, Assembly ready to adjourn sine die, introduced, adopted, committee appointed -----	160
64	Notify Governor, Assembly ready to adjourn sine die, introduced, adopted, 160; committee appointed-----	161

TABLE OF ACTIONS ON SENATE MEASURES IN THE ASSEMBLY

No.	SENATE BILLS	PAGE
1	Read first time, 69; Rules suspended, withdrawn from committee, substituted for A. B. 1, Constitution suspended, 72; read second time, 73; read third time, motion to amend, 75; motion for division of question lost, point of order, ruling by Speaker, Rules suspended, 77; amendments considered without division, roll call demanded, amendments adopted, explanation of vote, amended, motion to amend, previous question demanded, amendment adopted, 78; motion to amend, previous question demanded, call of Assembly, 79; call of Assembly dispensed with, amendments adopted, 83; read third time, passed, to Senate, 89; explanations of vote, 90; Assembly amendments refused concurrence, Senate appoints Conference Committee, 105; Assembly refuses to recede from amendments, 106; Assembly appoints Conference Committee, 107; Assembly adopts conference report, 129; explanation of vote, 131; Senate adopts conference report.-----	143
4	Read first time, 99; Constitution suspended, read second time, read third time, passed, to Senate-----	100
7	Read first time, Constitution suspended, read second time, urgency clause adopted, read third time, passed, to Senate-----	141

SENATE CONCURRENT RESOLUTIONS

1	In Assembly, 42; from committee: Be adopted, 68; adopted, to Senate-----	69
2	In Assembly, adopted, to Senate-----	47
3	In Assembly, adopted, to Senate-----	38
4	In Assembly, adopted, to Senate-----	42
5	In Assembly, 60; considered without reference to committee, 64; adopted, to Senate-----	65
6	In Assembly, 88; adopted, to Senate-----	89
7	In Assembly, 124; from committee: Be adopted, 141; adopted, to Senate-----	143
8	In Assembly, adopted, to Senate-----	133
9	In Assembly, 133; from committee: Be adopted, as amended, 145; read and amended, adopted, to Senate, 145; Assembly amendments concurred in-----	150

SENATE CONSTITUTIONAL AMENDMENTS

2	In Assembly, 72; unanimous consent to withdraw from committee withheld, 82; Rules suspended, withdrawn from committee, read and amended, 83; adopted, to Senate, 90; Assembly amendments concurred in-----	108
---	--	-----

SENATE JOINT RESOLUTIONS

1	In Assembly, 60; from committee: Be adopted, 80; adopted, to Senate-----	81
2	In Assembly, 60; from committee: Be adopted, as amended, amendments adopted, 117; adopted, to Senate, explanation of vote, 122; Assembly amendments concurred in-----	143
3	In Assembly, 60; from committee: Be adopted, 141; adopted, to Senate-----	142
4	In Assembly, 107; from committee: Be adopted, 124; adopted, to Senate-----	129
5	In Assembly, 107; from committee: Be adopted, adopted, to Senate-----	110
6	In Assembly, 107; from committee: Be adopted, as amended, amendments adopted, 111; read and adopted, to Senate, 122; Assembly amendments concurred in-----	150
7	In Assembly, 72; from committee without further action, to Senate-----	162
8	In Assembly, 111; from committee without further action, to Senate-----	162
9	In Assembly, adopted, to Senate-----	149

